



Comprehensive Study Process Guide

A guide to the comprehensive study process under the Canadian Environmental Assessment Act for projects not subject to the "Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects"



September 2008



Document Information

Disclaimer

This guide is for information purposes only. It is not a substitute for the *Canadian Environmental Assessment Act* (the Act) or any of its regulations. In the event of any inconsistency between this guide and the Act or regulations, the Act or regulations, as the case may be, would prevail.

To ensure that you have the most up-to-date versions of the Act and regulations, please consult the Department of Justice web site at <http://laws.justice.gc.ca/en/C-15.2/index.html>.

Updates

This document may be reviewed and updated periodically by the Canadian Environmental Assessment Agency (the Agency). To ensure that you have the most up-to-date version, please consult the Guidance Materials page of the Agency's Web site at http://www.ceaa-acee.gc.ca/012/newguidance_e.htm.

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**Comments and
feedback**

The Agency would appreciate receiving comments on the content of this guide and feedback regarding whether the guidance effectively meets your needs. Comments received will be considered for future updates.

Please submit your comments to training.formation@ceaa-acee.gc.ca.

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Guide Overview

- Purposes** This guide has been prepared by the Canadian Environmental Assessment Agency (the Agency) to provide:
- an introduction to the comprehensive study process under the *Canadian Environmental Assessment Act* (the Act); and
 - guidance on key considerations when planning, managing, conducting or participating in a comprehensive study.
-

Application This guide applies specifically to the comprehensive study process for major projects that are not subject to the *Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects*.

The Cabinet Directive applies to “major resource projects”. For details about the application of the Cabinet Directive, please refer to the Major Projects Management Office Web site at <http://www.mpmo-bggp.gc.ca/index-eng.php>.

Contents This guide is comprised of the following main parts:

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Part 1 provides an introduction to the key features of a comprehensive study, and summarizes the main phases to be undertaken during this type of environmental assessment (EA).

Part 2 provides guidance on the tasks that the responsible authority (RA), federal authority (FA), federal environmental assessment coordinator (FEAC) and Canadian Environmental Assessment Agency (the Agency) may need to undertake in each phase of a comprehensive study. It also identifies required documentation and tools that may be useful.

The appendices provide checklists and additional information that the RA or EA practitioner may find useful during the conduct of a comprehensive study.

- Focus** The guide focuses on the comprehensive study process that:
- begins after the FA determines it is an RA for a project that requires a comprehensive study under the Act; and
 - ends with the RA's obligation to take its course of action and, if taking a course of action that enables the RA to exercise a power, duty or function that allows the project to proceed, with the RA's obligation to ensure implementation of appropriate mitigation measures, and to design a follow-up program and ensure its implementation.

Note: This guide includes information that goes beyond the specific requirements of the Act in relation to responsibilities, activities and tasks that may occur prior to the determination that a comprehensive study process is required for the EA of a project.

- Intended users** The guide is intended for FAs who:
- may be responsible for ensuring that a comprehensive study is conducted and a comprehensive study report (CSR) is prepared (i.e., RAs); or
 - are responsible for participating in and contributing to a comprehensive study (i.e., expert FAs).

It may also be of interest to other EA practitioners, other jurisdictions, project proponents, and members of the public seeking in-depth knowledge of the comprehensive study process.

Related guidance For guidance on determining when an EA is required under the Act, and whether the EA would be a comprehensive study, please see the guide entitled *How to Determine if the Act Applies*, available on the Agency's Web site at http://www.ceaa.gc.ca/012/004/Act-Applies_e.pdf.

For guidance on initiating the EA process, including identifying FAs, the FEAC and other jurisdictions, please see the guide entitled *Federal Coordination: Identifying Who's Involved*, available at http://www.ceaa-acee.gc.ca/012/008/Federal-Coord-Identifying_e.pdf.

Additional information For further advice or information about the topics covered in this document, please contact the Canadian Environmental Assessment Agency.

Individuals with specific questions are urged to seek advice and clarification from their legal services for legal interpretations, or from other appropriate parties on specific policies or procedures that may apply on a case-by-case basis.

Part 1. Introduction to Comprehensive Studies

Overview

Purpose of Part 1

Part 1 of this guide:

- provides an introduction to the key features of a comprehensive study conducted under the *Canadian Environmental Assessment Act* (the Act); and
 - highlights the main phases to be undertaken during a comprehensive study.
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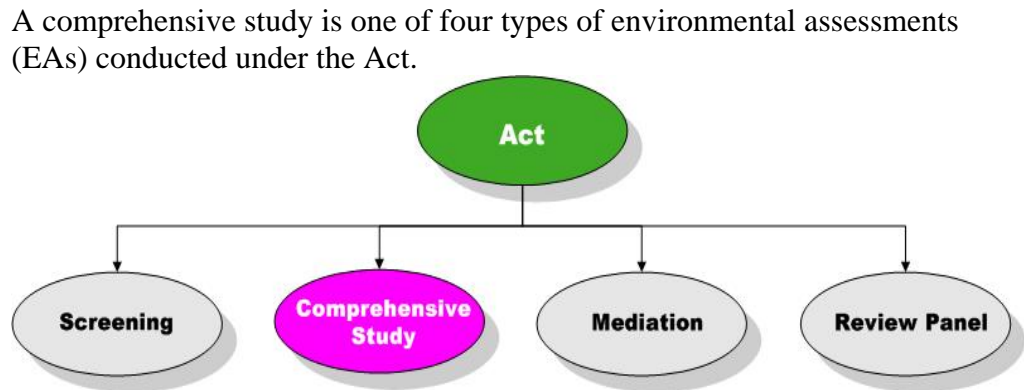
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Part 1 contains the following sections:

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Overview of Comprehensive Studies	4
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Overview of Comprehensive Studies

**Figure 1:
Types of
Environmental
Assessments**



What are comprehensive studies?

Comprehensive studies are self-directed EAs undertaken for specific projects that, due to their nature, are likely to result in significant adverse environmental effects. They are considered self-directed because the responsible authority (RA) has an obligation to ensure the conduct of the EA, including providing obligatory public consultation/participation, ensuring regulations are met, implementing mitigation and a follow-up program, and taking a course of action decision.

Note: To see a list of active and completed comprehensive studies, refer to http://www.ceaa-acee.gc.ca/010/compstudies_e.cfm.

Projects requiring comprehensive study

A comprehensive study is undertaken for specific projects that may result in significant adverse environmental effects (typically large-scale and/or complex in nature).

The projects requiring a comprehensive study are listed in the *Comprehensive Study List Regulations* (available at <http://laws.justice.gc.ca/en/c-15.2/sor-94-638/index.html>). Projects listed in the regulations include, but are not limited to, oil and natural gas developments, transportation projects, water projects, electrical generation projects, mining projects and pipelines.

Remember...

This guide applies to the comprehensive study process for major projects that are not subject to the *Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects*, which applies to “major resource projects”. For details about the application of the Cabinet Directive, please refer to the Major Projects Management Office Web site at <http://www.mpmo-bggp.gc.ca/index-eng.php>.

When is a comprehensive study required?

A comprehensive study is required when:

- there is a project as defined in the Act (and the project takes place in Canada);
- the project is not described on the *Exclusion List Regulations* and is not otherwise excluded under the Act;
- the project involves a federal authority that must exercise a power, duty or function in relation to the project that would enable it to proceed in whole or in part; and
- the project (as scoped) is listed on the *Comprehensive Study List Regulations*.

Administratively, the comprehensive study process is normally initiated early in the project planning phase when a project includes components that are on the *Comprehensive Study List Regulations*.

Determining the proposed scope of project is discussed in more detail in Task 1.4.

Projects outside of Canada

According to the *Projects Outside Canada Regulations*, there is no comprehensive study process for projects that are proposed outside Canada. Instead, all such projects are subject to a screening. The *Projects Outside of Canada Regulations* are available at <http://laws.justice.gc.ca/en/C-15.2/SOR-96-491/index.html>.

Who is responsible?

Where a comprehensive study is required, the RA must ensure that a comprehensive study is conducted in accordance with the Act and that a comprehensive study report (CSR) is prepared and submitted to the Minister of the Environment and to the Agency.

The RA may delegate to a third party (e.g., to the proponent, consultant or other party) the tasks of analyzing environmental effects, preparing the CSR, ensuring public participation and designing a follow-up program.

The RA cannot delegate responsibility for determining the scope of the project, or the factors and the scope of those factors to be considered, or for taking a course of action decision pursuant to section 37(1) following completion of the Ministers EA decision.

Note: If more than one RA has been identified for a comprehensive study, each must meet the obligations of the Act, but may work together to meet their obligations.

**Official
languages**

Documents intended for dissemination to the public that are submitted to the Agency pursuant to the comprehensive study process must be provided in both official languages.

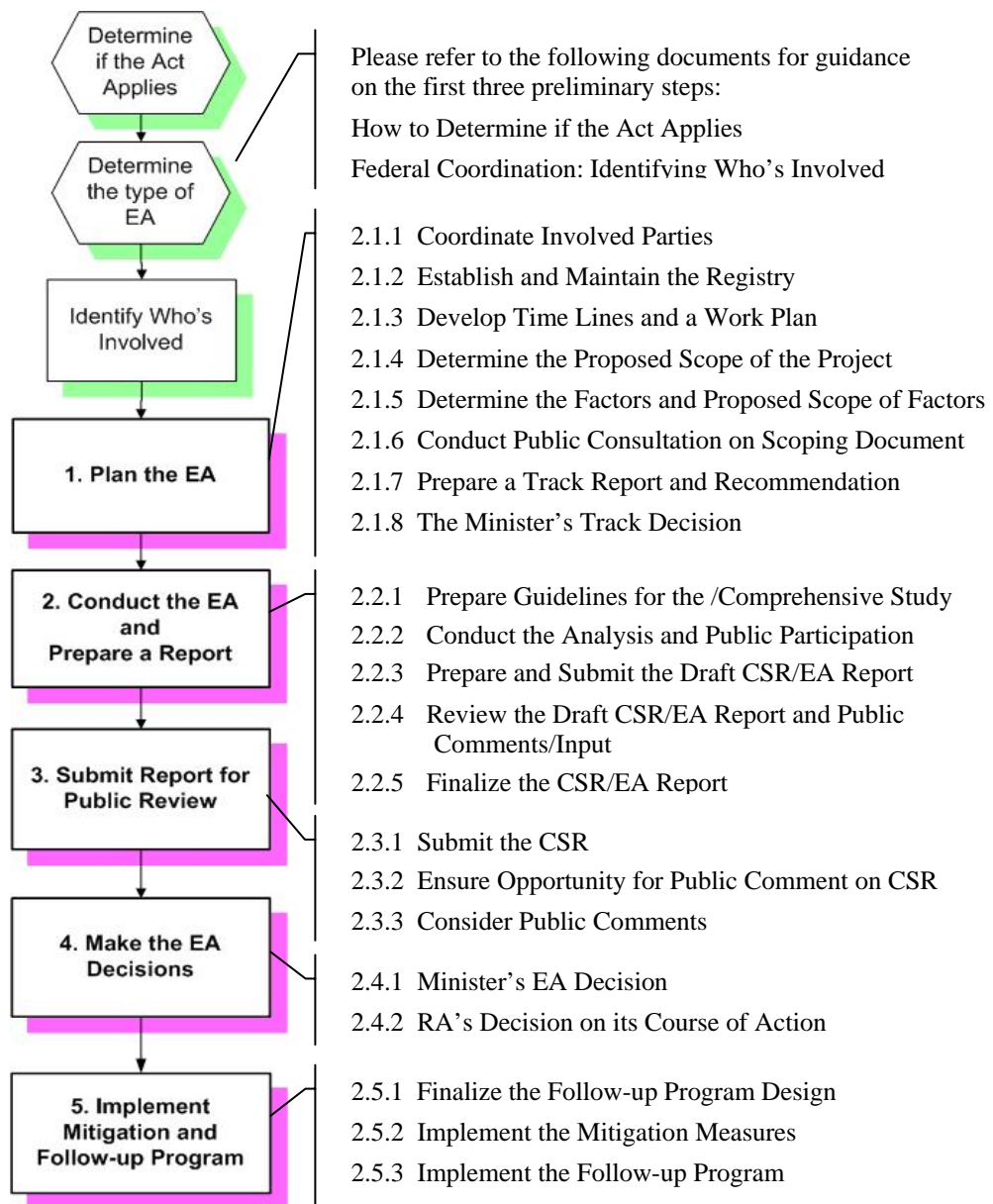
Summary of the Comprehensive Study Process

Five phases

There are five main phases in a comprehensive study process and each phase may involve different parties.

Figure 2 provides a summary of the main phases and associated tasks in the comprehensive study process (task numbers refer to the corresponding section in Part 2 of this document). Although depicted in a linear manner, the phases and products may be revisited during the comprehensive study process.

**Figure 2:
Summary of
the
Comprehensive
Study Process**



Part 2. The Comprehensive Study Process Overview

Purpose of Part 2

Part 2 of this guide provides direction on the recommended tasks that certain parties may need to undertake in each phase of a comprehensive study.

Specifically, the following is provided for each phase:

- a summary of the main tasks in the phase;
 - activities to be completed by:
 - a responsible authority (RA);
 - an expert federal authority (FA);
 - the federal environmental assessment coordinator (FEAC);
 - the Canadian Environmental Assessment Agency (the Agency); and
 - next steps once the phase is complete.
-

Contents

Part 2 contains the following main sections:

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Phase 3: Submit the Comprehensive Study Report	48
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Phase 5: Ensure Implementation of the Mitigation and Follow-up Program	62

Integrating other considerations

Federal EA practitioners need to be aware of the legislative context for proposed projects undergoing a comprehensive study. Other legislative requirements may add additional responsibilities during the assessment or may require coordination in order to ensure that all obligations and practices are met by practitioners.

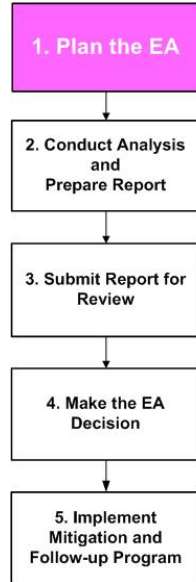
Joint reviews

Frequently, comprehensive studies are conducted jointly or in cooperation with the EA of another jurisdiction such as a province or a territory. In such cases, there may be an EA report, sometimes called an Environmental Impact Statement (EIS), prepared for the purposes of that jurisdiction.

Under such circumstance, the RA leading the comprehensive study must determine whether the EA report or EIS will be used as the comprehensive study report (CSR), as a main component of the report, or whether a separate CSR will be prepared. For this reason, the references in this guide up to task 2.2.5 will refer to EA Report/CSR.

Phase 1: Plan the Environmental Assessment

Introduction to Phase 1



In the first phase of a comprehensive study, the Canadian Environmental Assessment Agency, unless otherwise agreed to by the Agency and the RA, takes on the FEAC role and starts the planning process by identifying and coordinating the federal parties who will be involved in the environmental assessment (EA).

The FEAC is also responsible for:

- establishing timelines in relation to the assessment;
 - preparing and monitoring a work plan;
 - determining the timing of public participation;
 - establishing and chairing a committee of FAs or RAs for the project and those that are or may be in possession of specialist or expert knowledge with respect to the project; and
 - ensuring that the FAs fulfill their obligations under the Act in a timely manner.
-

Phase 1 Tasks

The tasks below should be carried out in the planning phase. Each is described in more detail in the following sections.

Tasks	Page
1.1 Coordinate Involved Parties	12
1.2 Establish and Maintain the Registry	15
1.3 Develop Time Lines and a Work Plan	18
1.4 Determine the Proposed Scope of the Project	20
1.5 Determine the Factors and Proposed Scope of Factors	22
1.6 Conduct Public Consultation on the Scoping Document	24
1.7 Prepare a Track Report and Recommendation	27
1.8 The Minister's Track Decision	29

Note: Some of the tasks are iterative rather than strictly step-by-step, and may be undertaken concurrently or revisited throughout the phase.

- The RA's Role** With the help of the FEAC for coordination, the RA initiates the EA planning process by:
- establishing and maintaining the project file (paper);
 - posting the notice of commencement on the Registry Internet site;
 - determining the proposed scope of the project for the purpose of the EA;
 - determining the factors proposed to be considered in the EA and the proposed scope of those factors;
 - determining the potential for the project to cause adverse environmental effects;
 - assessing the ability of the comprehensive study process to address issues relating to the project;
 - preparing a scoping document to consult the public on these matters;
 - where appropriate (e.g. harmonizing with the EA of another jurisdiction) preparing draft guidelines to be included in the draft scoping document;
 - providing opportunity for public consultation and participation on scope, etc.; and
 - analysing the comments and integrating these findings into the track report and recommendations.

Note: When there are multiple RAs, one is expected to step forward to act as lead RA. While each RA has the same obligations in regard to the comprehensive study, they may agree amongst themselves that one will play a lead role in performing certain functions (e.g. posting Registry records, preparing draft documents, etc.).

The Agency may also, in certain situations and with the agreement of the RAs, fulfill certain functions normally undertaken by the RAs.

The Minister's Role The Minister of the Environment is advised on the above components and recommends whether the EA should continue by means of a comprehensive study or be referred to a mediator or review panel. Upon receipt and consideration of the RA's report and recommendation, including public comments received in relation to the scoping document, the Minister issues a "track decision" on whether the EA should continue as a comprehensive study or be referred to a mediator or review panel.

1.1 Coordinate Involved Parties

Requirement for task

The *Canadian Environmental Assessment Act* (the Act) requires that the comprehensive study process involve the appropriate parties, is efficient, coordinated and cooperative. Furthermore, the *Regulations Respecting the Coordination of Federal Authorities of Environmental Assessment Procedures and Requirements* (commonly called the *Federal Coordination Regulations*) under the Act set out mandatory procedures for federal coordination. These regulations are available at <http://laws.justice.gc.ca/en/c-15.2/sor-97-181/index.html>.

Federal coordination activities must be started as early as possible in the initial planning stages of the EA process when adequate project information becomes available.

Where a project proposal contains a component that is on the *Comprehensive Study List Regulations*, the Agency will work with RAs and FAs on the assumption that a comprehensive study is required, unless it is confirmed otherwise.

Benefits of federal coordination

Starting in the early planning phase and continuing throughout the comprehensive study, coordination of all interested parties promotes greater certainty, efficiency and timeliness in the comprehensive study process.

Where more than one federal department or agency has a decision-making role or a role to offer expert advice, coordinating the involvement of these parties will help to ensure that only one federal EA is conducted and that the process is more consistent and predictable.

Federal environmental assessment coordinator (FEAC)

To facilitate coordination, sections 12.1 to 12.5 of the Act establish the role, duties and responsibilities of the federal environmental assessment coordinator (FEAC).

The FEAC facilitates the participation of FAs in the comprehensive study process and coordinates communication and cooperation among them, as well as with other participants and jurisdictions.

Identifying the FEAC	<p>The FEAC for a comprehensive study is the Canadian Environmental Assessment Agency (the Agency) unless the Agency and the RA agree that the RA will assume the FEAC role.</p> <p>In cases where a specific agreement is established that the RA will assume the role of the FEAC, the Agency must post the FEAC agreement on the Registry Internet site (the Act 55.1 (2)(b)).</p>
Other Agency responsibilities	<p>The Act requires the Agency to fulfill additional obligations that are not related to the role of the FEAC.</p> <p>To differentiate between the two roles, the tasks of the Agency and the FEAC are presented separately throughout this guide.</p> <p><i>Note:</i> Unless the Agency and the RA have agreed that the RA will fulfill the FEAC role, the FEAC role identified throughout this guide will normally be performed by an Agency representative of the appropriate regional office, while the Agency role will normally be undertaken by an Agency headquarters representative.</p>
Project committee	<p>To facilitate coordination among those involved, section 12.3 of the Act gives the FEAC the authority to establish and chair a committee, commonly referred to as the project committee.</p> <p>The project committee enables the coordination of all parties involved, including the RAs, FAs, other jurisdictions and any interested parties where appropriate (e.g., those involved in Federal-Provincial/Territorial Harmonization Agreements).</p> <p>The purpose of the committee is to:</p> <ul style="list-style-type: none">• serve as a forum for bringing all federal interests and decisions to the table throughout the comprehensive study;• where other jurisdictions are involved, serve as a forum for discussing mutual interests of all jurisdictions; and• help to identify and resolve concerns early on, before they lead to delays or create uncertainty. <p><i>Note:</i> When an environmental assessment (EA) is being coordinated with that of a province, the EA would be conducted according to any federal/provincial cooperation agreement that is in place.</p>

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Pre-Comprehensive Study Determination				
Receive adequate project description.	☑	☑	■	☑
Ensure that all FAs and other jurisdictions with a likely interest in the project are identified.		☑	■	
Send federal coordination letter.			■	
Respond to federal coordination letter.	■	■		
Confirm to the proponent that the Act applies.	■		☑	
Post-Comprehensive Study Determination				
Determine whether to establish a project committee.	☑		■	
Develop a work plan, with timelines.	☑	☑	■	☑
Convene project committee meetings and chair the committee, if established.	☑	☑	■	☑
Coordinate discussions between the RA(s), FAs and other jurisdiction(s) concerning: <ul style="list-style-type: none"> • opportunities for cooperating and harmonizing the comprehensive study with the EA of the other jurisdiction; or • sequencing steps/activities where the assessment cannot be fully coordinated; and • the distribution of relevant documents. 	☑	☑	■	☑

Related guidance

For general information about federal coordination, the *Federal Coordination Regulations* and the role of the FEAC, please refer to the guide *Federal Coordination: An Overview*, available on the Agency’s Web site at http://www.ceaa-acee.gc.ca/012/007/Federal-Coord-Overview_e.pdf.

1.2 Establish and Maintain the Registry

Requirement for task

The Canadian Environmental Assessment Registry (the Registry) is a government-wide mechanism to facilitate public access to records related to EAs conducted under the Act.

The Registry consists of two components: the Registry Internet site and a project file. Individual responsibilities pertaining to the establishment and maintenance of the project file and the project-specific records on the Registry Internet site are outlined in the Act in sections 55 to 55.4.

- Section 55.1 of the Act specifies how the Internet site must be maintained and which records must be made available through the Internet.
- Section 55.4 of the Act provides the requirements for the establishment, maintenance and contents of the project files.

Note: Under section 55.5 of the Act, certain records or portions of records may need to be excluded from the Registry pursuant to exceptions prescribed in the *Access to Information Act* and the *Privacy Act*.

Timing of Registry obligations

Early in the planning of the comprehensive study, each RA should identify its Registry obligations as part of the work plan.

These obligations start at the commencement of the EA and continue throughout the comprehensive study until the EA decision by the RA and, when the project is to proceed, the completion of a follow-up program.

While the first record to be entered on the Registry Internet site is the notice of commencement, any records relating to earlier discussions and deliberations should be placed in the project file.

Note: When there are multiple RAs, one acts as lead RA in posting Registry records. The Agency may also, in certain situations and with the agreement of the RAs, fulfill certain Registry functions normally undertaken by the RAs.

Who is responsible?

Both the Agency and the RA have responsibilities to ensure that all the appropriate records from the comprehensive study are included in the Registry. If there is more than one RA, they must agree on which one will fulfill the Registry obligations. The Agency and the RA will agree on who will be the contact person identified on the Registry Internet site.

Records posted on the Registry Internet site must be available in both official languages.

The Agency is also responsible for ensuring that certain records are included in the Registry in a timely manner. This includes placing on the Registry Internet site the Minister's decisions, the comprehensive study report (CSR), the notice inviting public comment on the comprehensive report and a summary of comments received.

[Appendix B](#) provides a summary of the Registry requirements and indicates who is responsible for ensuring that each record is included in the Registry.

Registry obligations

The following obligations must be fulfilled throughout the comprehensive study process.

- In cases where there is more than one RA, agreement should be reached as to which one will be responsible for ensuring that Registry obligations are met.
 - The sole or selected RA confirms to the FEAC and the project committee that the appropriate records have been included in the project file and posted on the Registry Internet site in a timely manner.
 - The sole or selected RA ensures that the project file is readily available to the public in a convenient manner.
 - The FEAC, in consultation with the RA that is maintaining the project file, ensures that public requests for copies of records are responded to in a timely manner.
-

Registry records

All records produced, collected or submitted with respect to the EA are to be included in the Registry project file. Only specific records must be posted on the Registry Internet site. The FEAC will ensure that the documents that it controls will be provided to the RA in a timely manner for inclusion in the project file.

The Registry records that are required for each phase of the EA process are summarized in [Appendix B](#). The checklist indicates whether each record must be included in both the project file and the Registry Internet site.

Note: All records posted to the Registry Internet site should also be included within the project file.

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Contribute records for inclusion in the Registry.	■	☑	☑	■
Determine who will be responsible for establishing and maintaining the project file and posting RA records on the Registry Internet site according to established timelines in the work plan.	■		☑	
Ensure that the notice of commencement is posted on the Registry Internet site within 14 days of the commencement of the comprehensive study.	■		☑	
If necessary, contact the sole or selected RA to facilitate resolution of any problems with respect to Registry obligations.			■	

Related guidance

For details about the Registry and specific records that must be included in the Registry, please refer to the Agency's *Guide to the Canadian Environmental Assessment Registry*, available on the Agency's Web site at http://www.ceaa-acee.gc.ca/012/012/Registry_e.pdf.

1.3 Develop Time Lines and a Work Plan

Requirement for task

Planning the comprehensive study before it starts is the first step to good project management and can help to ensure a more efficient and timely EA.

Under the Act's paragraph 12.3(b), the FEAC may, in consultation with the RA(s) and expert FAs, establish time lines to assist with the planning and management of the EA.

A work plan is essential in administering a comprehensive study, especially where the EA involves more than one RA, several FAs or another jurisdiction. The *Cabinet Directive on the Implementation of the Canadian Environmental Assessment Act* (available at http://www.ceaa-acee.gc.ca/013/010/directives_e.htm) requires that the roles and responsibilities of RAs and FAs be documented and agreed to in a project work plan to be prepared and monitored by the FEAC.

Note: The time lines and work plan may need to be revisited as a result of changes to factors such as responsibilities, stakeholders, and project developments as the comprehensive study proceeds.

Benefits of a work plan

A work plan is an effective administrative tool for managing the comprehensive study. It can help to:

- ensure that all parties involved in the EA are aware of their responsibilities, the requirements of the comprehensive study process and any applicable time lines;
 - ensure that the comprehensive study is efficient and timely, by allowing the RA and FEAC to monitor progress; and
 - determine and document how the federal EA process will be coordinated with other jurisdictions.
-

Work plan elements

The work plan should:

- identify the RA(s), expert FA(s) and other jurisdiction(s), if involved;
- summarize the proposed process requirements, such as the need to involve other jurisdictions;
- include, if appropriate, a proposed public participation plan that is coordinated with the public participation plans of any other jurisdiction involved in the EA;
- summarize the roles and responsibilities of the participants; and
- present a proposed schedule with time lines for conducting the comprehensive study.

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Determine the extent to which the RA will delegate the: <ul style="list-style-type: none"> • conduct of the comprehensive study, and the • preparation of the CSR. 	■		☑	☑
Prepare draft time lines and a work plan.	☑	☑	■	☑
Obtain comments on the draft time lines and work plan from the FAs through the project committee.	☑	☑	■	☑
Finalize the time lines and work plan based on input from all RAs and FAs through the project committee.	☑	☑	■	☑
Amend the time lines and work plan if necessary.	☑		■	

1.4 Determine the Proposed Scope of the Project

Requirement for task

A determination of the proposed scope of the project is required in accordance with subsections 15(1) to 15(3) of the Act.

While the Act requires the RA to make the scoping determination, section 8 of the *Federal Coordination Regulations* clarifies that the RA must first consult with all FAs and, where there is more than one RA, they should determine the scope of the project together. This is accomplished through the development of a scoping document. The scoping document will be used to obtain public comments on the proposed scope.

Note: This task may occur prior to the determination that a comprehensive study process is required for the EA of a project.

Scope of the project

As per subsection 15(1) of the Act, scoping the project involves identifying those components of the proposed undertaking or activity that should be considered part of the project for the purposes of the comprehensive study.

Under subsection 15(2) of the Act, the RA may determine that two or more projects which require an EA pursuant to the Act are so closely related that they can be considered to form a single project.

As well, subsection 15(3) of the Act states that all proposed undertakings that are likely to be carried out in relation to the physical work (e.g., construction, operation, modification, decommissioning, and abandonment) should be included in the scope of the project.

Coordinated reviews with certain other jurisdictions

In certain circumstances (e.g., to coordinate with a provincial EA, to reduce the number of separate consultations or to reduce the demand placed on the public), it may be decided to combine the consultation on the proposed scope of the project with consultation on terms of reference guidelines prepared in Phase 2.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Taking into consideration the input from the project committee and other jurisdictions where appropriate, identify the project scope.	■	☑	☑	☑
Confirm and record the proposed scope of project in a scoping document.	■	☑	☑	☑

Related guidance

For more information about scoping, refer to the *Cabinet Directive On Implementing the Canadian Environmental Assessment Act*, available at http://www.ceaa-acee.gc.ca/013/010/directives_e.htm.

1.5 Determine the Factors and Proposed Scope of Factors

Requirement for task

The scope of the EA/comprehensive study must include consideration of all factors described in subsections 16(1) and 16(2) of the Act. Moreover, any other matter relevant to the EA of the project may be included by the RA. This includes any other matter relevant to the comprehensive study (such as the need for the project and alternatives to the project) that the RA, or the Minister after consulting with the RA, may require to be considered.

While the Act requires the RA to make the determination regarding the factors to be considered, the scope of those factors, and the ability of the comprehensive study to address issues relating to the project, section 8 of the *Federal Coordination Regulations* clarifies that the RAs must first consult with all FAs, and where there is more than one RA they should together determine the scope of the project including the factors to be considered and the scope of those factors. This is accomplished through the development of a scoping document.

Benefits of good scoping

Effective scoping establishes the overall focus of the EA. It can improve the efficiency and predictability of the EA by:

- ensuring that the EA includes all appropriate project components, undertakings and issues;
 - identifying likely public concerns;
 - establishing, for all participants, clear boundaries for the EA;
 - determining the appropriate level of detail, effort and resources required for the EA; and
 - identifying information needs and sources.
-

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Prepare a draft scoping document outlining the proposed factors to be considered and the proposed scope of those factors.	■	☑	☑	☑
Distribute the draft scoping document to the project committee for input.	■	☑	☑	☑
Integrate comments and circulate a revised draft scoping document.	■	☑	☑	☑
Finalize the scoping document outlining the proposed scope of the project, the factors proposed to be considered and the proposed scope of those factors. This document should also present the RA's views on the ability of the comprehensive study to address the issues.	■			
Preparation of a roles and responsibilities agreement.	■	☑		

Note: The Agency may, in certain situations and with the agreement of the RAs, take the lead role in coordinating and preparing appropriate documentation on behalf of the RA.

Related guidance

For more information about identifying the factors and the scope of those factors, please refer to the following operational policy statements:

- *Addressing "Need for", "Purpose of" "Alternatives to" and "Alternative Means" under the Canadian Environmental Assessment Act*, available at http://www.ceaa.gc.ca/013/0002/addressing_e.htm.
- *Addressing Cumulative Environmental Effects under the Canadian Environmental Assessment Act*, available at http://www.ceaa-acee.gc.ca/013/0001/0008/Cumulative-Environmental-Effects_e.pdf
- *Follow-up Programs under the Canadian Environmental Assessment Act*, available at http://www.ceaa-acee.gc.ca/013/0002/followup_e.htm.
- *Cabinet Directive on Implementing the Canadian Environmental Assessment Act*, available at http://www.ceaa-acee.gc.ca/013/010/directives_e.htm.

1.6 Conduct Public Consultation on the Scoping Document

Requirement for task

Public participation is mandatory at specific phases in the comprehensive study process.

In accordance with subsection 21(1) of the Act, the RA shall ensure public consultation with respect to:

- the proposed scope of the project for the purposes of the assessment;
- the factors proposed to be considered in the assessment;
- the proposed scope of those factors; and
- the ability of the comprehensive study to address issues relating to the project.

Note: Typically, three to six weeks are provided for public consultation on the scoping document.

Public consultation on project scope

Under subsection 21(1) of the Act, the RA shall ensure public consultation with respect to the proposed scope of the project for the purposes of the EA, the factors proposed to be considered in its assessment, the proposed scope of those factors and the ability of the comprehensive study to address issues relating to the project. RAs should coordinate and conduct such consultation jointly to minimize confusion and contradiction between federal parties.

Before consulting the public, the RA should prepare a document clearly outlining the information about which the public must be consulted. The level of detail to be included in this document should be tailored to the nature of the EA and to the scale of the project.

The public review of the scoping document constitutes the minimum amount of consultation required; however, RAs may do further consultation during the preparation of the scoping document.

Public participation plan

The timing of the public participation may, in consultation with the FA, be determined by the FEAC, as stated in paragraph 12.3(c) of the Act.

A public participation plan should be developed to outline how and when the public participation obligations will be met throughout the comprehensive study. Specifically, but not exclusively, the plan should include components relating to consulting on the scoping document, public participation in the conduct of the comprehensive study and opportunity for public comment on the comprehensive study report (CSR). Public participation should be harmonized to the degree possible with other jurisdictions.

A public participation plan should inform the public of opportunities to be engaged at all stages of the comprehensive study, to offer ideas and information, to influence recommendations and decisions, and to be informed of all decisions. The plan should recognize all interested public groups and provide for various means to notify them of opportunities and to receive their input.

Note: The public participation plan may be a separate document or may be included in the work plan.

Participant funding

Participant funding, administered by the Agency, is offered to facilitate the participation of the public in comprehensive studies. Please refer to [Appendix D: Participant Funding for a Comprehensive Study](#) for more information.

For further details about the program and application process, refer to the *Guide to the Participant Funding Program*, available on the Agency's Web site at http://www.ceaa-acee.gc.ca/012/013/Participant-Funding_e.pdf.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Identify any public participation obligations, issues and opportunities, in consultation with other jurisdictions where applicable.	☑		■	☑
Determine the appropriate timing for public consultation.	☑		■	☑
Develop the contents of a public participation plan.	■	☑	☑	☑
Establish and administer the participant funding			☑	■
Ensure that the appropriate public consultation is undertaken.	■		☑	
Post the public participation notice and draft scope of project on the Registry.	■			☑

1.7 Prepare a Track Report and Recommendation

Requirement for task

After the public consultation on the scoping document, and as soon as there is sufficient information, the RA must submit a report, called a track report, to the Minister of the Environment (the Minister) regarding the:

- scope of the project, the factors to be considered in the assessment and the scope of those factors;
- public concerns in relation to the project;
- potential of the project to cause adverse environmental effects; and
- ability of the comprehensive study to address issues relating to the project.

The RA must also provide a recommendation to the Minister regarding whether to continue with the EA by means of a comprehensive study, or whether to refer the project to a mediator or review panel. These are requirements under subsection 21(2) of the Act.

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
As necessary, use information or comments gained from the public consultation to amend the scope of the project, the factors or the scope of those factors before reporting to the Minister.	■	☑	☑	☑
Prepare a track report on: <ul style="list-style-type: none"> • the scope of the project; • the factors to be considered and their scope; • public concerns in relation to the project; • the potential of the project to cause adverse environmental effects; and • the ability of the comprehensive study process to address issues relating to the project. 	■	☑	☑	☑

Activities	RA	FA	FEAC	Agency
Prepare a recommendation for the Minister regarding whether to: <ul style="list-style-type: none"> • continue the EA by means of a comprehensive study, or • refer the project to a mediator or a review panel. In most cases this information would also be included in the track report.	■	☑	☑	☑
Provide letter of concurrence on the final track report.	■	☑	☑	☑
Translate the track report into both official languages.	■			
Transmit the track report and recommendation to the Minister.	■			
Provide a copy of the track report and recommendations to the President of the Agency to expedite the Minister's consideration of these documents.	■			☑

1.8 The Minister’s Track Decision

Requirement for task

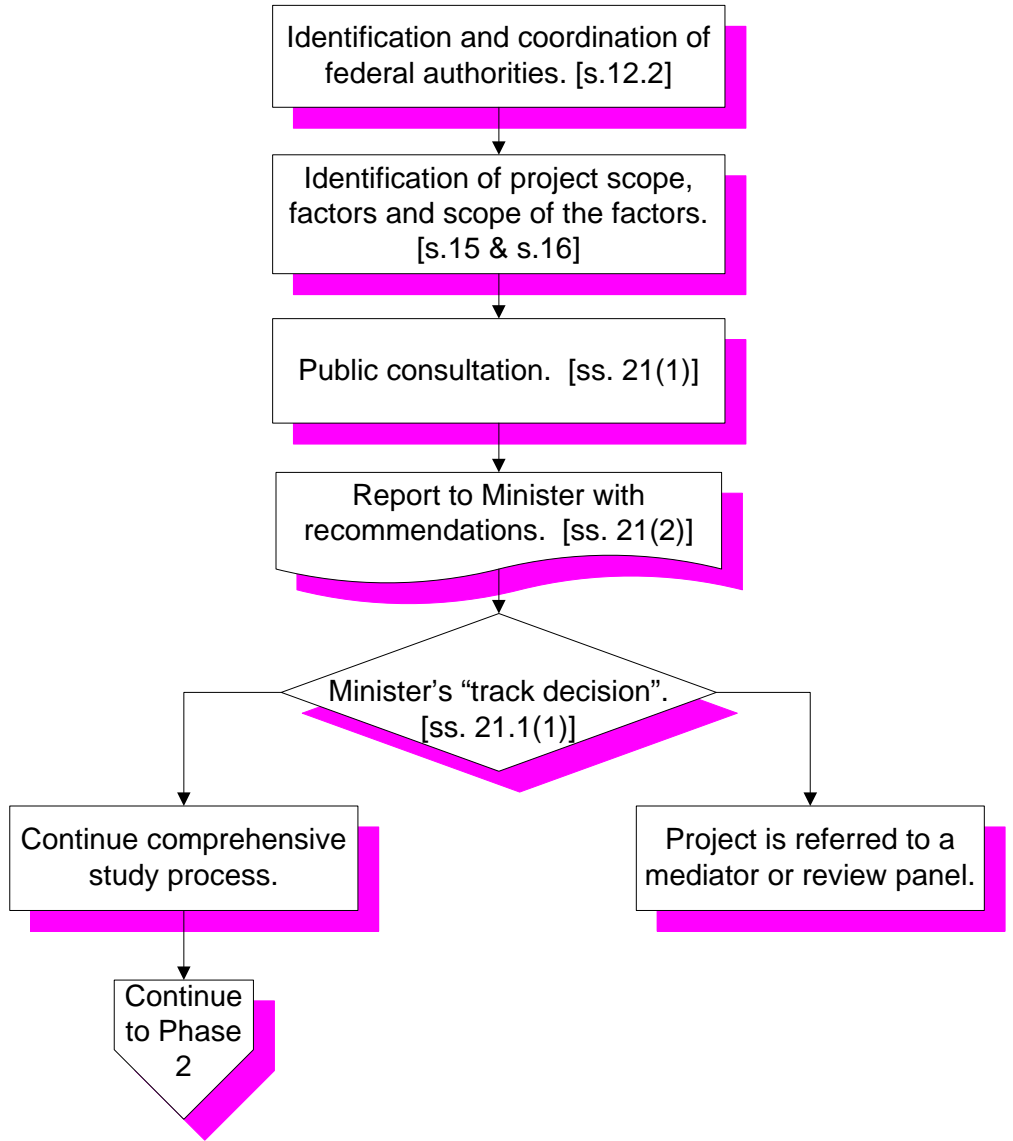
The next step in the EA process is determined by the Minister of the Environment (the Minister) in what is commonly called the “track decision”.

As per section 21.1 of the Act, the Minister, taking into account the matters in the track report and the RA’s recommendation, determines whether to refer the project back to the RA so that it may continue the EA by means of a comprehensive study, or whether to refer the project to a mediator or review panel. The resulting next steps are summarized in the following table and are depicted in Figure 3.

If the Minister ...	Then ...
determines that the assessment should continue by means of a comprehensive study,	<p>the RA must</p> <ul style="list-style-type: none"> • determine how the comprehensive study will be conducted, and • ensure that a comprehensive study is conducted and a CSR is prepared. <p>The RA should ensure that the tasks in Phase 1 are completed and continue to Phase 2: Conduct the Analysis and Prepare a Report.</p>
determines that the EA of the project warrants reference to a mediator or review panel,	<p>the Minister refers the project to a mediator or review panel (the comprehensive does not continue).</p> <p>The Agency will inform the RA, the proponent and the public of the next steps.</p>

Note: As per subsection 21.1(2) of the Act, if a project is returned to the RA to continue the comprehensive study, it cannot be subsequently referred to a mediator or review panel.

**Figure 3:
Phase 1 Key
Tasks**



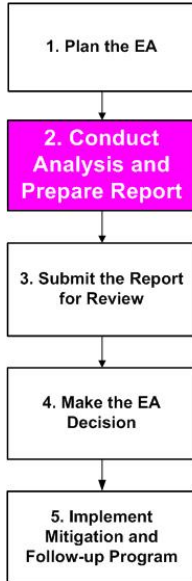
Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Review track report and recommendation and prepare a memorandum to the Minister recommending whether the assessment should continue by means of a comprehensive study or be referred to a mediator or review panel.				■
The Minister considers the track report and recommendation from the RA and the advice from the Agency.				
Taking into account the track report and recommendation, the Minister refers the project to: <ul style="list-style-type: none"> the RA so that it may continue the comprehensive study and ensure that a CSR is prepared; or a mediator or review panel. 				
The Minister writes to the RA to advise of the track decision.				
Ensure that the notice of the Minister's track decision is posted on the Registry Internet site.	☑			■
Ensure that the notice of the Minister's track decision is included in the project file.	■		☑	☑
Determine the need for a news release or other communications products to announce Minister's track decision.				■
Inform the project committee of the Minister's track decision.			■	☑
Inform proponent of the Minister's track decision.			■	☑
Post track report on Registry Internet site.				■

Next steps The next step in the EA process is determined by the Minister of the Environment's track decision.

Phase 2: Conduct the Analysis and Prepare a Report

Introduction to Phase 2



If the Minister of the Environment’s track decision in Phase 1 requires the responsible authority (RA) to continue assessing the project by means of a comprehensive study, the RA shall ensure that:

- a comprehensive study is conducted, including the conduct of any technical studies and environmental assessment (EA) analysis that are required;
- opportunity is provided for public participation in the comprehensive study; and
- a comprehensive study report (CSR) is prepared.

Note: The RA may determine that an EA report prepared for another environmental purpose may serve as the CSR.

Special circumstances

In some circumstances, the RA may have delegated the conduct of the comprehensive study to a third party. In other circumstances, an EA report may be prepared as part of a coordinated federal – provincial/territorial EA and the RA, after confirming that any additional material pertinent to the requirements of the *Canadian Environmental Assessment Act* is included, may determine that this EA report will serve as the CSR. In other cases, the RA may decide that a separate CSR will be prepared.

In most instances, a least one draft version of the CSR/EA report will be prepared, on which RAs and expert FAs will have an opportunity to review and provide comments prior to its completion.

In all cases, as a matter of policy, RAs are encouraged to prepare guidelines for the conduct of the comprehensive study and for the preparation of the CSR/EA report. Such guidelines, especially when completed early in the planning of the comprehensive study, will help to ensure an appropriate format and level of detail for the CSR/EA report. In certain cases, for example to coordinate with a provincial/territorial EA process, the guidelines may be developed and presented in conjunction with the scoping document as described in section [1.5 Determine the Factors and Proposed Scope of those Factors](#).

Phase 2 Tasks

The following tasks should be carried out in the analysis and reporting phase. Each is described in more detail in the following sections.

Tasks	Page
2.1 Prepare Guidelines for the Comprehensive Study	34
2.2 Conduct the Analysis and Public Participation	36
2.3 Prepare and Submit the Draft CSR/EA Report	40
2.4 Review the Draft CSR/EA Report and Public Comments/Input	41
2.5 Finalize the CSR/EA Report	43

Note: Some of the tasks are iterative rather than strictly step-by-step, and may be undertaken concurrently.

2.1 Prepare Guidelines for the Comprehensive Study

Requirement for task	Guidelines for the conduct of the EA will establish the issues that must be addressed in the analysis, how to describe and assess these issues and how to structure the EA report.
Content of the guidelines	<p>Guidelines will generally stipulate the nature and the scope of the analysis, as well as the extent of the EA report to be prepared. The guidelines should also indicate whether the EA report is intended to serve as the CSR or whether a separate CSR will be prepared.</p> <p>The guidelines are usually divided into the following two key parts:</p> <ul style="list-style-type: none"> • Background • Content of the EA Analysis
<i>Background</i>	<p>The background should contain the key information about the project including:</p> <ul style="list-style-type: none"> • a brief description of the project components and activities; • identification of the RAs and their respective triggers; • a description of any other jurisdictional EA processes that are applicable; • a description of the environmental process carried out to date; • opportunities for public participation and participant funding; and • a description of the scope of the project and assessment.
<i>Content of the EA Analysis</i>	<p>This part should contain information on:</p> <ul style="list-style-type: none"> • the factors to be considered in the EA and the scope of those factors; • the appropriate methodology to be used for the EA analysis; and • any other instructions that the RAs believe are required. <p><i>Note:</i> In a harmonized EA with another jurisdiction, the other jurisdiction may be preparing EA documentation in support of their EA legislation. Efforts to coordinate effectively with the time lines and requirements of their processes will streamline the EA.</p>

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Prepare draft guidelines based on scoping determination.	■	☑	☑	
Distribute draft guidelines to project committee for input.	☑	☑	■	☑
Integrate comments and circulate the new draft guidelines.	■	☑	☑	☑
Confirm content of guidelines with the project committee.	■	☑	☑	☑
Provide the guidelines to the delegated party conducting the comprehensive study/EA and preparing the CSR/EA report.	■			

2.2 Conduct the Analysis and Public Participation

Requirement for task

The RA is required to ensure the conduct of an EA of a project, including ensuring public participation opportunities are provided before it exercises any power or performs any duty or function in respect of a project under section 5 of the Act.

Conducting the analysis

The key steps of the analysis phase of the comprehensive study/EA are to identify the potential adverse environmental effects of a project and measures to mitigate those environmental effects, and to assess whether the project is likely to cause any significant effects.

Public participation

In accordance with section 21.2 of the Act, during the conduct of the EA, the RA shall ensure that the public is provided with an opportunity to participate in the process.

This public participation and its timing should be conducted as specified in the work plan and/or guidelines provided to the party that is conducting the comprehensive study/EA.

Examples of public participation may include, but are not limited to:

- consultation on the draft CSR/EA report;
- town hall meetings; and
- participation in technical or other committees.

Information from the public is used and public concerns are considered and addressed, as appropriate, during the EA analysis.

Note: See [Appendix C](#) for a summary of opportunities during each phase of the comprehensive study/EA.

Delegation

Under subsection 17 of the Act, the RA may delegate part of the comprehensive study of a project to any person, body or jurisdiction within the meaning of subsection 12(5) of the Act. This could include any part of the comprehensive study of the project or the preparation of the CSR, and any part of the design and implementation of a follow-up program. The RA cannot delegate responsibility for determining the scope of the project, or the factors and the scope of those factors to be considered. It cannot delegate the course of action decision pursuant to section 37(1) following completion of the Minister's EA decision.

In many cases, the activities under this task will be undertaken by the proponent or a consultant on the proponent's behalf and, in certain instances, by a province or other jurisdiction within the meaning of subsection 12(5) of the Act, where the comprehensive study is being conducted in a coordinated manner with that jurisdiction.

Note: In all cases, whether delegation has been utilized or not, the RA remains responsible to ensure that the overall conduct of the comprehensive study is compliant with the Act.

Participant funding

Participant funding, administered by the Agency, is available upon request to facilitate the participation of the public in this phase of the comprehensive study. The availability of funding would usually have been announced as part of [Task 1.6](#) Conduct Public Consultation on the Scoping Document. Please refer to [Appendix D](#): Participant Funding for a Comprehensive Study for more information.

For further details about the program and application process, refer to the *Guide to the Participant Funding Program* available at http://www.ceaa-acee.gc.ca/012/013/Participant-Funding_e.pdf.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Provide ongoing guidance to the delegated party conducting the comprehensive study/EA.	■	☑	☑	☑
Maintain contact with the RA or other delegated party conducting the comprehensive study/EA and keep the project committee informed of the progress of the EA, as appropriate.	☑	☑	■	☑
The RA or other delegated party conducting the comprehensive study/EA notifies the public of the opportunity for participation.	■			
Post public notices on the Registry Internet site.	■		☑	
In accordance with the guidelines, the RA or other delegated party conducting the comprehensive study/EA conducts the analysis, identifies the adverse environmental effects, identifies measures for mitigation and follow-up, and assesses the significance of those environmental effects.	■	☑	☑	☑
In accordance with the guidelines, the RA or other delegated party conducting the comprehensive study/EA, in cooperation with the RA, provides the public with an opportunity to participate (e.g., conducts the public participation event).	■		☑	
Attend public participation events, if appropriate.	■	☑	☑	☑
The RA or other delegated party conducting the comprehensive study/EA addresses public concerns as appropriate.	■	☑	☑	

**Related
guidance**

For guidance on preparing a CSR, please see the *Guide to the Preparation of a Comprehensive Study for Proponents and Responsible Authorities* on the Agency's Web site at http://www.ceaa.gc.ca/013/0001/0003/comps_e.htm. Please note that although this guide was developed in relation to pre-C9 comprehensive studies and may not fully reflect all administrative steps in the current comprehensive study process, it remains relevant regarding the substantive content of a comprehensive study.

The Agency maintains a list of completed comprehensive studies on its Internet site. Some of the individual comprehensive study postings include completed CSRs that may be useful for reference purposes.

2.3 Prepare and Submit the Draft CSR/EA Report

Requirement for task

As determined in the planning phase, the RA may or may not be using the EA report prepared by the proponent or other delegated party as the CSR.

The guidelines that were established for the project and used for the conduct of the analysis will also assist in the preparation of the CSR/EA report. Such guidelines were discussed in section 2.1 of this guide.

Reporting on the analysis

The CSR/EA report should contain all of the information requested in the guidelines. The findings of the analysis, presented in a CSR/EA report, will include conclusions and recommendations regarding the adverse environmental effects that are likely to result from the project, the significance of those effects, and appropriate measures that would mitigate any significant adverse environmental effects.

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
The RA or other delegated party prepares the draft CSR/EA report. In addition to the environmental analysis information obtained during the comprehensive study/EA, the report should include a summary of the public participation opportunities provided, comments received and how they were addressed.	■			
The RA or other delegated party submits the draft CSR/EA report to the RA and the FEAC.	■		☑	

2.4 Review the Draft CSR/EA Report and Public Comments/Input

Requirement for task

In this task, the draft CSR/EA report must be reviewed to ensure that it reflects the EA requirements as stipulated in any guidelines that were issued and to verify that it is compliant with the Act.

Review and consideration of any public input is also required if comments have been received from the public participation during the analysis phase [section 21.2 of the Act].

Reviewing the CSR/EA report

In this phase of the process, the RA should have the draft CSR/EA report reviewed by appropriate parties such as the expert FAs and other jurisdictions that are participating.

Any public comments received during the conduct of the comprehensive study/EA should also be considered and the analysis and report should be modified appropriately. A record reflecting the comments received and how they were addressed should then be incorporated into the CSR/EA report.

FAs should provide written confirmation that the factors outlined in any guidelines that were issued have been adequately addressed.

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Review the draft report to verify conformity with the Act, guidelines, timelines and work plan provided to the proponent or other delegated party preparing the CSR/EA report and to validate information and conclusions.	■	☑	☑	☑
Provide all CSR/EA report comments to each project committee member.	☑	☑	■	☑
Discuss and resolve any issues arising from comments.	☑	☑	■	☑
Based on the input from the federal project committee, identify outstanding information needs.	■	☑	☑	☑

Activities	RA	FA	FEAC	Agency
Review any previously identified public concerns if any were identified during scoping or the analysis.	■	☑	☑	
Ensure that outstanding public concerns are considered and addressed, as appropriate.	■	☑		
Provide consolidated comments to the RA, proponent or other delegated party preparing the CSR.	☑	☑	■	☑
Ensure that any required studies are undertaken and information is collected if the available information is not adequate.	■	☑	☑	
Review and provide further comments, as required, on additional information provided by the RA or other delegated party preparing the CSR/EA report.	■	☑	☑	☑
Ensure ongoing cooperation with any other jurisdiction that has a responsibility to conduct an EA for the same project, or part thereof.	☑	☑	■	

2.5 Finalize the CSR/EA Report

Requirement for task

Following the Minister's track decision to continue the comprehensive study, the RA must ensure that a CSR/EA report is prepared and provided to the Minister and to the Agency, as per paragraph 21.1(1)(a) of the Act.

The RA may decide to use the EA report prepared by a delegated party as the final CSR/EA report, or to prepare a separate CSR. The following table of options for preparing the CSR/EA report describes typical factors that the RA would take into consideration when determining the manner in which it will meet its obligations for preparing the CSR/EA report in order to ensure that the CSR/EA report meets the requirements of the Act.

Role of the report

The CSR/EA report provides a common point of reference for federal decision makers and other participants in the EA.

It is a stand-alone document that provides sufficient information for a reader to understand the project, the environmental setting, the project-environment interactions, the environmental effects, the proposed mitigation measures, the significance of potential adverse environmental effects, the concerns of the public and how they were addressed, and the nature and requirements of a follow-up program.

Delegation of the CSR/EA report

The RA has the discretion to determine the appropriate format for the CSR/EA report and, under subsection 17(1) of the Act, may delegate the preparation of the CSR/EA report to a third party (e.g., to a consultant or the proponent). The RA should ensure that any agreement with a third party includes clauses regarding linguistic obligations under the *Official Languages Act*.

If the analysis and preparation of the report are delegated, then the RA must ensure that the delegated party is fully aware of the requirements of the Act, and should provide the delegated third party with guidelines for the preparation of the CSR/EA report.

Under subsection 17(2), the RA may not take any action to permit the project to be carried out unless it is satisfied that the duties and functions it has delegated have been carried out in accordance with the Act.

**Preparing the
CSR/EA report**

The preparation of the CSR/EA report may be accomplished in one of several ways, depending on the circumstances of the assessment and the needs of the RA as described in section 2.3 of this guide. Early in the planning of the comprehensive study, the RA should have identified the most appropriate format and level of detail for the CSR/EA report.

Typically, an EA report (sometimes called an environmental impact statement or EIS) is prepared by a proponent or a consultant as part of the EA analysis. The EIS is then reviewed by the project committee, with additional information requested as necessary.

The final EA report, or a condensed version of it, may then comprise, or form the basis of the CSR/EA report. This determination is made based on the situations described in the following table.

Options for preparing the CSR/EA report

Option	May be appropriate when:
<p>A. Use of the EA report prepared by a delegated party, with cover letter from the RA.</p>	<p>The RA agrees with the analysis and conclusions of the delegated party's EA report and is satisfied that the report meets all of the process and information requirements necessary for a CSR/EA report.</p> <p><i>Note:</i> This approach may be adopted to meet the requirements of both jurisdictions in an EA coordinated with another jurisdiction.</p>
<p>B. CSR/EA report prepared by the RA.</p>	<p>This would be the case where:</p> <ul style="list-style-type: none"> • the RA is the proponent and has not delegated the preparation of the CSR/EA report; or • the RA decides not to rely on the delegated party's EA report. If the delegated party's EA report would not fully satisfy the requirements of a CSR/EA report, the RA may wish to complete a separate CSR/EA report; or • if a proponent has prepared an EA report to satisfy the process requirements of another jurisdiction, the RA may wish to adapt the report to more clearly meet the requirements of the Act and to better reflect its own conclusions. <p>While the CSR would usually be based on an EA report, the CSR should be a stand-alone document that meets the requirements of the Act, including a summary of the public comments and how they were addressed.</p>

Task activities In the following tables: ■ = lead role and ☑ = direct involvement.

Option A: Use the EA report as the CSR The EA report prepared by the third party is used as the CSR/EA report.

Activities	RA	FA	FEAC	Agency
Determine if the EA report is acceptable for use as the CSR/EA report.	■	☑	☑	☑
If the EA report is not acceptable as the CSR, resolve the issues with the proponent or other delegated party.	■		☑	
Where the RA determines the EA report is acceptable for use as the CSR/EA report; distribute the draft CSR/EA report to the project committee.	☑		■	
Review and finalize the report with the delegated party preparing the CSR/EA report.	■	☑	☑	☑
In circumstances where more than one RA has triggered the comprehensive study; all RAs should provide a written confirmation to the lead RA confirming that: <ul style="list-style-type: none"> the factors agreed upon during the scoping phase have been adequately considered; and issues related to their area of expertise have been adequately addressed in the report. 	■ ☑	■ ■	☑ ☑	
Translate the CSR/EA report or ensure that it is translated by another party.	■			

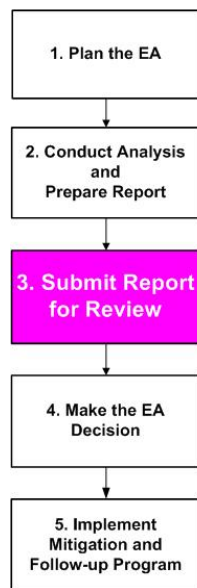
Options B: New report A distinct CSR is prepared by the RA.

Activities	RA	FA	FEAC	Agency
Prepare the CSR, using the EA report that was previously prepared by another party and any other information available, while ensuring that the requirements of the Act are met.	■			
Distribute the CSR to the project committee.	☑		■	
Coordinate, review and provide comments on the CSR.	☑	☑	■	☑
Resolve outstanding issues and finalize the CSR.	■			
All RAs, and when required FAs, should provide a written confirmation to the lead RA confirming that: <ul style="list-style-type: none"> the factors agreed upon during the scoping phase have been adequately considered; and issues related to their area of expertise have been adequately addressed in the report. 	■ ☑	■ ■	☑ ☑	
Translate the CSR or ensure that it is translated by another party.	■			

Next steps Once Phase 2 is complete, the CSR is submitted to the Minister of the Environment (the Minister), and the report is made available for public comments in [Phase 3](#).

Phase 3: Submit the Comprehensive Study Report to the Minister of the Environment and Agency for Public Review

Introduction to Phase 3



The objectives in this phase are to ensure that:

- the comprehensive study report (CSR) is submitted to the Minister of the Environment and the Canadian Environmental Assessment Agency (the Agency), and
- the public is provided with an opportunity to review and provide comment on the CSR.

Note: The term “CSR/EA report” will be referred to as the “comprehensive study report” (CSR) for all subsequent Phases of the comprehensive study process outlined in this guide.

Phase 3 Tasks

The following tasks should be carried out in this phase. Each is described in more detail in the following sections.

Tasks	Page
3.1 Submit the Comprehensive Study Report	49
3.2 Ensure Opportunity for Public Comment on the Comprehensive Study Report	50
3.3 Consider Public Comments	52

3.1 Submit the Comprehensive Study Report

Requirement for task In accordance with subsection 21.1(1) of the Act, once the CSR has been prepared, the RA provides it to the Minister of the Environment (the Minister) and to the Agency.

If there is more than one RA, the report can be jointly submitted, or submitted by one RA on behalf of the remaining RAs. In the latter case, it must be accompanied by a documented sign-off, by the other RAs, on the report and the conclusions drawn within the report.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Obtain appropriate sign-off from all RAs on the CSR.	■		☑	
Prepare a cover letter for transmitting the CSR to the Minister.	■			
Ensure that at least one copy (in both official languages) of the CSR is provided to the Minister and at least one hard copy and one electronic copy is provided (in both official languages) to the regional and central headquarters of the Agency.	■			
Ensure that sufficient copies (in both official languages) are available in the viewing centers.	■			

Note: Any other approach to providing the CSR to the Minister and to the Agency will require prior approval by the Agency.

3.2 Ensure Opportunity for Public Comment on the Comprehensive Study Report

Requirement for task

As per subsection 22(1) of the Act, after receiving the CSR from the RA, the Agency facilitates public access to the report and publishes a notice to announce the opportunity for comment.

Participant funding

Participant funding, administered by the Agency, is available upon request to facilitate the participation of the public in this phase of the comprehensive study. The availability of funding would usually be announced as part of Task [Task 1.6](#) Conduct Public Consultation on the Scoping Document. Please refer to [Appendix D](#): Participant Funding for a Comprehensive Study for more information.

For further details about the program and application process, refer to the *Guide to the Participant Funding Program* available at http://www.ceaa-acee.gc.ca/012/013/Participant-Funding_e.pdf.

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Prepare and review the Agency's public communication plan.	☑		☑	■
Identify and arrange for suitable public viewing centres.	☑		☑	■
Identify suitable newspapers for posting notice of the Agency's public comment period.	☑		☑	■
Identify parties interested in the comprehensive study, based on the stakeholder list established from the public consultation on scope to present.	☑		☑	■

Activities	RA	FA	FEAC	Agency
<p>Post a notice of opportunity for public comments on the CSR on the Registry Internet site and through other appropriate means (e.g., newspapers).</p> <p>The notice must contain:</p> <ul style="list-style-type: none"> • the date on which the report will be available for review; • the place at which copies of the report may be obtained; and • the deadline and address for filing comments on the conclusions and recommendations of the report. 				■
<p>Post the CSR (in both official languages) on the Registry Internet Site.</p>				■
<p>Add a hard copy of CSR (in both official languages) to the project file.</p>	■			
<p>Mail the notice of Agency's public comment period to interested parties.</p>			<input checked="" type="checkbox"/>	■
<p>Ensure the distribution of copies of the CSR to the public viewing centers. The Agency, on agreement with the RA, may rely on the RA, FEAC or a delegated third party to distribute copies to viewing centres.</p>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	■
<p>Receive and track comments relating to the CSR received by the deadline set in the notice.</p>				■

3.3 Consider Public Comments

Requirement for task The Agency, in collaboration with the RAs and FAs, will review and consider the public comments of the CSR.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Send a letter to respondents to acknowledge receipt of their comments and to explain the next steps in the process.				■
Distribute the public comments to the RA and to the other jurisdictions where applicable.	☑		☑	■
Ensure that public comments are placed in the Registry project file.	■		☑	
Prepare a consolidated summary of public comments for RAs.	☑		☑	■
Review and consider the comments, such as: <ul style="list-style-type: none"> • questions raised; • new issues that should be addressed; • additional research or analysis required; and • additional mitigation measures needed. 	■	☑	☑	☑
If the public's comments raise new issues or issues raised are not adequately addressed in the CSR, determine if: <ul style="list-style-type: none"> • these public concerns can be adequately addressed through the addition of specific mitigation measures without the need for further assessment or revisions to the report; or • additional work is required on the comprehensive study, which may include additional opportunities for public participation. 	■	☑	☑	☑
Determine whether a response to the public is required on the issues and concerns that they raised and, if so, prepare the necessary response.	■			☑

Phase 3: Submit the Comprehensive Study Report to the Minister of the Environment and Agency for Public Review

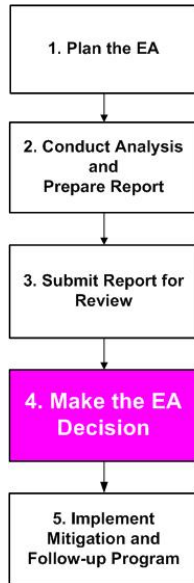
Activities	RA	FA	FEAC	Agency
Advise the Agency, in writing, as to how the comments will or will not be addressed.	■			
Prepare and translate a summary of public comments and RA responses	☑		☑	■

Next steps

Once Phase 3 is complete, the Minister of the Environment will issue an environmental assessment (EA) decision under section 23 of the Act, while the responsible authority (RA) will determine its course of action under section 37 of the Act.

Phase 4: Make the Environmental Assessment Decision

Introduction to Phase 4



The Minister of the Environment (the Minister) reviews the comprehensive study report (CSR) and the public concerns received during Phase 3. If the Minister is of the opinion that additional information is necessary or actions are needed to address public concerns, the Minister may request that the responsible authority (RA) or the proponent preparing the CSR ensure that the necessary information is provided or actions are taken to address these concerns.

Once all necessary information has been provided and the concerns are addressed, the Minister issues an environmental assessment (EA) decision statement that includes:

- the Minister's opinion as to whether, taking into account the implementation of any mitigation measures the Minister considers appropriate, the project is, or is not, likely to cause significant adverse environmental effects; and
- any mitigation measures or follow-up program that the Minister considers appropriate.

The Minister then refers the project back to the RA for a decision on its course of action.

RA's EA decision

The RA shall take one of the following courses of action:

- where, taking into account the implementation of any mitigation measures that the RA considers appropriate, the project is not likely to cause significant adverse environmental effects or the project is likely to cause significant adverse environmental effects that can be justified in the circumstances, the RA may exercise any power or perform any duty or function that would permit the project to be carried out in whole or in part; or
 - where, taking into account the implementation of any mitigation measures that the RA considers appropriate, the project is likely to cause significant adverse environmental effects that cannot be justified in the circumstances, the RA shall not exercise any power or perform any duty or function conferred on it by or under any Act of Parliament that would permit the project to be carried out in whole or in part.
-

Phase 4 Tasks The following tasks should be carried out in the EA decision phase. Each is described in more detail in the following sections.

Tasks	Page
4.1 Minister's Environmental Assessment Decision	56
4.2 Responsible Authority's Decision on its Course of Action	59

4.1 Minister's Environmental Assessment Decision

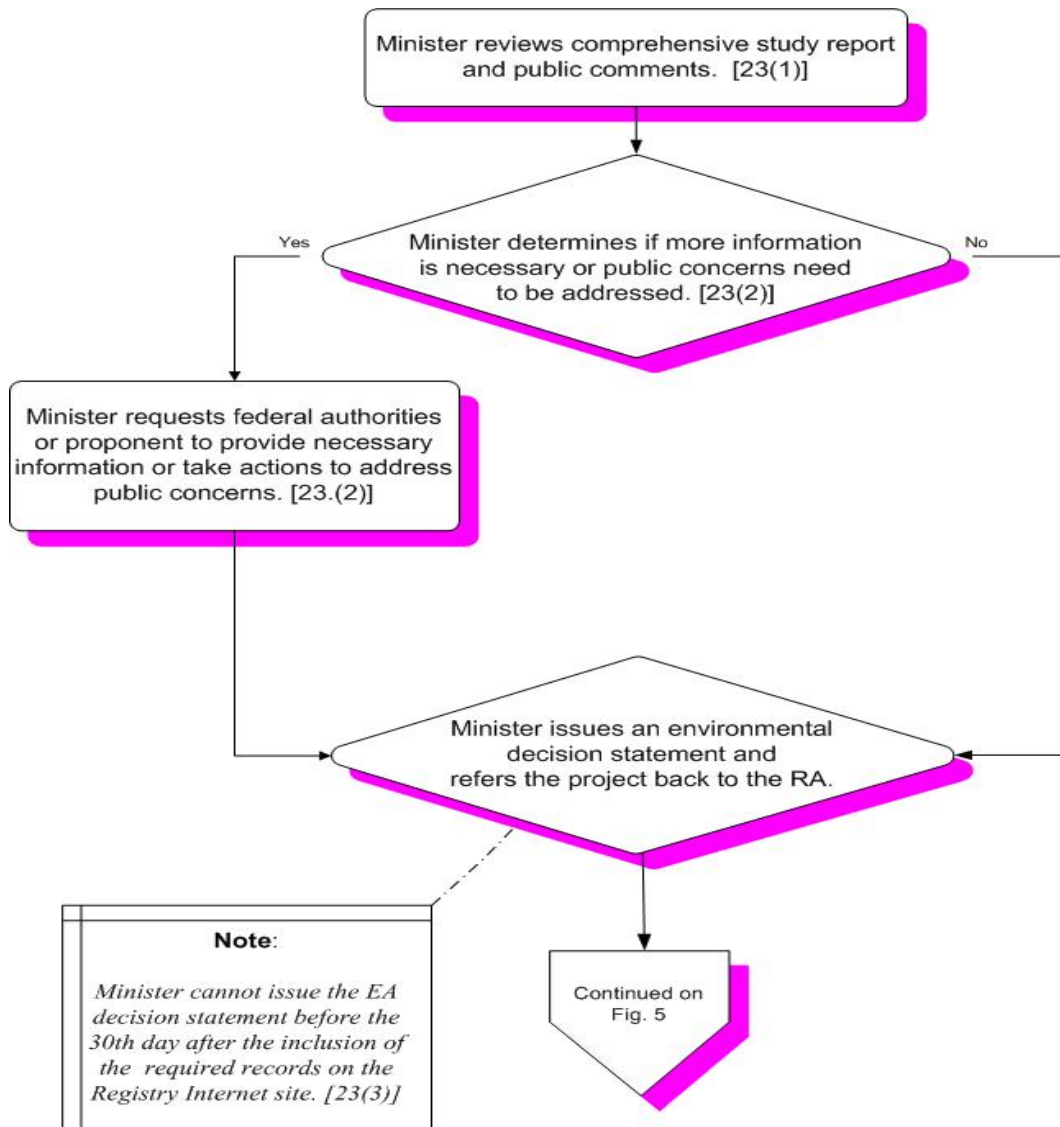
Requirement for task

Under section 23, the Act requires the Minister of the Environment to:

- consider the CSR and any public comments filed on the report;
- issue an EA decision statement; and
- refer the project back to the RA.

Figure 4 illustrates the steps in this task.

Figure 4: Minister's EA Decision



EA decision statement

The Minister of the Environment shall not issue an EA decision statement before the 30th day after the following information has been included on the Registry Internet site:

- the notice of the commencement;
- the description of the scope of the project;
- notice of the Minister's decision to refer the project to the RA to continue a comprehensive study;
- a description of the factors to be taken into consideration and the scope of those factors (or an indication of how such a description may be obtained); and
- the CSR that is to be taken into consideration by the RA in making its decision pursuant to subsection 37(1) of the Act (or a description of how a copy of the report may be obtained).

Task activities

In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Prepare recommendations for the Minister's consideration concerning the Minister's EA decision statement. The recommendations should be based on the: <ul style="list-style-type: none"> • conclusions of the CSR; • public comments received; • RA's response to the public comments; and • the Agency's analysis. 			☑	■
Forward recommendations to the Minister concerning the EA decision statement. If not already provided directly by the RA, a copy of the CSR is also provided to the Minister at this time.				■
If appropriate in response to a request from the Minister, the proponent, the RA, or the expert federal authority (FA) involved in the EA provides additional information, and/or takes action to address outstanding public concerns.	☑	☑	☑	☑

Activities	RA	FA	FEAC	Agency
<p>Once the Minister determines that the information in the report is adequate and public concerns have been addressed, the Minister refers the project back to the RA and issues an EA decision statement which includes:</p> <ul style="list-style-type: none"> • the Minister’s opinion as to whether the project is, or is not, likely to cause significant adverse environmental effects; and • any mitigation measures or a follow-up program that the Minister considers appropriate. 				<input checked="" type="checkbox"/>
<p>Post a summary of public comments, with RA responses, on the Registry Internet site or a description of where a copy may be obtained. In some circumstances the Agency may provide the summary directly to the respondent.</p>				<input type="checkbox"/>
<p>Ensure that the Minister’s EA decision statement is:</p> <ul style="list-style-type: none"> • posted on the Registry Internet site; • placed in the project file; and • communicated to the proponent and stakeholders involved. 	<input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>

4.2 Responsible Authority's Decision on its Course of Action

Requirement for task

After the Minister of the Environment has issued a decision statement on the significance of the potential adverse environmental effects and has referred the project back to the RA, the RA must make its own determination as to whether the proposed project is likely to have significant adverse environmental effects, as per section 37(1) of the Act.

Where the Minister issues an EA decision statement to the effect that the project is not likely to cause significant adverse environmental effects, the RA may then proceed with its decision on its course of action.

When the Minister issues an EA decision statement to the effect that the project is likely to cause significant adverse environmental effects, the RA may not take its decision on its course of action without the approval of the Governor-in-Council.

Figure 5 illustrates the steps in this task.

RA's EA decision and course of action

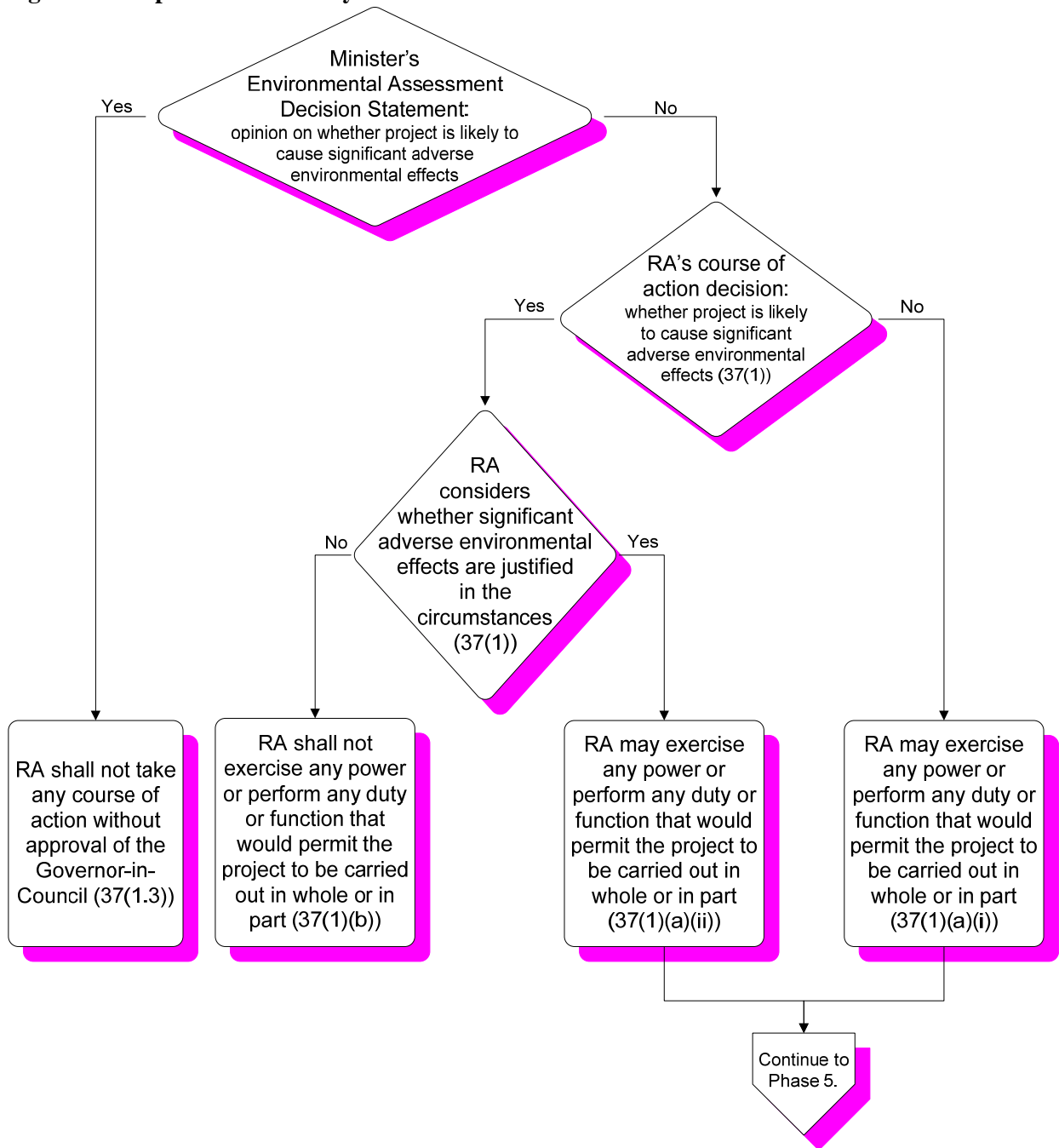
The EA decision taken under the Act by the Minister (described in Task 4.1) is distinct from the RA's decision on the course of action.

The RA's decision on its course of action determines whether or not the RA may exercise any power, or perform any duty or function that would allow the project to be carried out, either in whole or in part.

Examples of exercising such powers or duties include:

- commencing the undertaking in relation to a physical work or physical activity (i.e., RA as proponent of the proposal);
 - providing funding to the proponent;
 - providing an interest in land; or
 - issuing a permit or granting a licence.
-

Figure 5: Responsible Authority's EA Decision



Note: Governor-in-Council approval is required for the RA to take its course of action if the project is likely to cause significant adverse environmental effects.

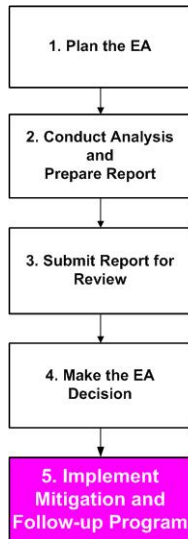
Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Review and consider the following: <ul style="list-style-type: none"> • the Minister’s EA decision statement, including any mitigation measures or follow-up program set out by the Minister; and • any comments received from the public. 	■			
Seek input from the FA if appropriate.	■	☑	☑	
Where there is more than one RA, the RAs agree on a schedule for: <ul style="list-style-type: none"> • taking a course of action; • making the course of action public; and • if applicable, making their recommendation to the Governor in Council under subsection 5(2) of the Act. 	■			☑
Taking into account the report, the Minister’s EA decision statement and the public comments, determine whether the project is likely to cause significant adverse environmental effects, and therefore what course of action to take.	■			
If the Minister’s EA decision statement concludes that environmental effects are likely to be significant, seek Governor in Council approval before taking a course of action.	■			☑
Provide public notice of the course of action, including posting a notice of the RA’s EA decision on the Registry Internet site and the project file.	■			
As appropriate, exercise the power, duty or function that would permit the project to be carried out.	■			

Next steps If Phase 4 is complete and the RA may exercise any power or perform any duty or function that would enable the proposed project, or part of the proposed project, to be carried out, the RA must ensure implementation of mitigation and follow-up in Phase 5.

Phase 5: Ensure Implementation of the Mitigation and Follow-up Program

Introduction to Phase 5



When a responsible authority (RA) may exercise any power or perform any duty or function that would permit the project to be carried out in whole or in part, it must ensure the following tasks are completed:

- a follow-up program is designed (a framework or draft of the follow-up program should have been prepared during the conduct of the analysis in Phase 2);
- the mitigation measures taken into account in the environmental assessment (EA) decision are implemented as required; and
- the follow-up program is implemented.

These activities may be done in consultation with the FEAC, the Agency, any expert federal authorities (FAs) and other jurisdiction(s) that have been identified.

Phase 5 Tasks

The following tasks should be carried out in this phase. Each is described in more detail in the following sections.

Tasks	Page
5.1 Finalize the Follow-up Program Design	63
5.2 Implement the Mitigation Measures	65
5.3 Implement the Follow-up Program	66

Note: Some of the tasks are iterative rather than strictly step-by-step, and may be undertaken concurrently.

5.1 Finalize the Follow-up Program Design

Requirement for task Under subsection 38(2), the Act requires that the RA design a follow-up program if it has taken a course of action under section 37(1)(a).

As explained in subsection 38(3) of the Act, in designing a follow-up program, the RA is not limited to its own legislation or mandate.

Section 16(2)(c) of the Act states that every comprehensive study shall include the need for, and requirements of, a follow-up program in respect of the project.

Purpose of a follow-up program A follow-up program is designed to:

- verify the accuracy of the EA report; and
- determine the effectiveness of mitigation measures.

When to plan for a follow-up program The RA should consider the nature of the follow-up program as early as possible in the planning of the EA process. This will help to ensure that there is time to identify information needs and collect the appropriate baseline data.

The follow-up program should be finalized prior to the implementation of the project and mitigation measures.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Apply the criteria presented in the <i>Operational Policy Statement on Follow-up Programs under the Canadian Environmental Assessment Act</i> available at http://www.ceaa-acee.gc.ca/013/0002/followup_e.htm	■			
Determine the requirement for, and obtain, any specialized input.	■			☑
Finalize the follow-up program design.	■	☑	☑	☑

Activities	RA	FA	FEAC	Agency
Confirm factors such as the: <ul style="list-style-type: none"> • scope and components of a follow-up program; • budget; • baseline data and information needs; and • monitoring requirements. 	■	☑	☑	☑
Confirm who will implement each phase of the follow-up program.	■	☑	☑	☑
Determine whether any part of the implementation of the program will be delegated to a third party/proponent or expert FA if agreed upon.	■	☑	☑	☑
Establish a follow-up committee where appropriate.	■	☑		

**Related
guidance**

For more information about follow-up programs, refer to the *Operational Policy Statement on Follow-up Programs under the Canadian Environmental Assessment Act* available at http://www.ceaa-acee.gc.ca/013/0002/followup_e.htm.

5.2 Implement the Mitigation Measures

Requirement for task As per subsection 23(1)(b) and subsections 37(2), 37(2.1), 37(2.2), and 37(2.3) of the Act, when the RA takes a course of action and exercises a power, duty or authority that would permit a project to be carried out in whole or in part, it shall ensure the mitigation measures identified in the comprehensive study are implemented.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Confirm the mitigation measures to be implemented, including those identified by the Minister, if applicable.	■	☑		
Confirm how each mitigation measure in the CSR will be implemented.	■	☑		
Confirm which party will be responsible to ensure the implementation of each mitigation measure.*	■	☑		
Ensure and monitor the implementation of the mitigation measures and immediately address any instance of a measure not being implemented.	■	☑		
Assist in the implementation of specific mitigation measures, if requested to do so by the RA.	☑	■		
Share the results of the implementation of mitigation measures with all interested FAs and other jurisdictions, as appropriate.	■	☑		

**Note:* An FA may, in certain cases, commit to taking on the responsibility for ensuring implementation of certain mitigation measures as per the agreement on roles and responsibilities.

5.3 Implement the Follow-up Program

Requirement for task

Subsection 38(2) of the Act requires the RA to ensure the implementation of a follow-up program if they exercise any power, duty, or function that would allow the project to be carried out in whole or in part.

Additionally, subsections 17(1), 38(3), 38(4) and 38(5), and paragraph 23(1)(b) have requirements relating to the implementation of a follow-up program to verify the accuracy of the EA of a project and to determine the effectiveness of any measures taken to mitigate the adverse environmental effects of the project.

Results of a follow-up program

The results of follow-up programs can be used for:

- implementing adaptive management measures; and
 - improving the quality of future environmental assessments.
-

Adaptive management measures

Adaptive management measures are actions taken to reduce the environmental impact of a project during its implementation period on the basis of new information obtained during the monitoring and follow-up activities.

They involve the implementation of new or modified mitigation measures over the life of a project to address unanticipated environmental effects or to allow for the adoption of improved mitigation measures.

Task activities In the following table: ■ = lead role and ☑ = direct involvement.

Activities	RA	FA	FEAC	Agency
Determine how the follow-up program will be implemented and ensure its implementation.	■	☑		
Provide any assistance requested by the RA in ensuring the implementation of a component of follow-up program on which agreement has been reached.	☑	■		
Monitor the progress of the follow-up program at all stages of its implementation.	■	☑		
Share the results of the follow-up program among all interested FAs and other jurisdictions, as appropriate.	■	☑	☑	☑
Post a summary of the follow-up program and its results on the Registry Internet site or give indication of how a full description of the program and its results may be obtained.	■		☑	
Use the results of the follow-up program for implementing adaptive management measures as required (e.g., adapt the project or mitigation measures if required).	■	☑		

Related guidance

For more information about follow-up programs, refer to the *Operational Policy Statement on Follow-up Programs under the Canadian Environmental Assessment Act* available at http://www.ceaa.gc.ca/013/0002/followup_e.htm.

Next steps

This is the final phase in a comprehensive study.

Appendices

Overview

Purpose of Appendices

The appendices provide additional resources such as a summary of responsibilities, checklists and information on other considerations.

Contents

The part contains the following appendices:

Topic	Page
A. Summary of Major Roles and Responsibilities	69
B. Summary of Registry Requirements	73
C. Public Participation in a Comprehensive Study	76
D. Participant Funding for a Comprehensive Study	80

A. Summary of Major Roles and Responsibilities

Key parties and responsibilities

The following section lists the major responsibilities of the various parties that may be involved in a comprehensive study and the corresponding applicable section(s) of the Act. In some cases, the order of these activities will vary. These parties may be involved in additional activities as well.

Responsible authority (RA)

- Identify regulatory triggers that require actions or involvement by a federal department or agency in the environmental assessment (EA) process.
- Ensure the establishment and maintenance of a project file from the commencement of the EA until any follow-up program is completed. [Section 55.4]
- Ensure that the responsibilities under the *Species at Risk Act* related to notification, mitigation and monitoring are fulfilled.
- Ensure that the EA is conducted as early as is practicable in the planning stages of the project and before irrevocable decisions are made. [Section 11(1)]
- Do not exercise any power or perform any duty or function in relation to a project until the assessment is complete and a course of action has been taken. [Sections 11(2) and 13]
- Ensure that the required records are included in the Registry Internet site. [Section 55.3(1)]
- Where there are two or more RA's, together determine the manner in which to perform the duties and functions under the Act and its regulations. [Section 12(1)]
- Cooperate with a jurisdiction that has a responsibility or authority to conduct an EA of the environmental effects of the project, or any part thereof. [Section 12(4)]
- Comply with the federal environmental assessment coordinator's (FEAC) requests and determinations, in a timely manner. [Section 12.5]
- Determine the significance of the effects of the project. [Section 16(1)(b)]
- Ensure public consultation for the proposed scope of the project, the factors proposed to be considered, the proposed scope of those factors and the ability of a comprehensive study to address the issues relating to the project. [Section 21(1)]
- Determine the scope of the project, the factors to be considered and the

scope of those factors. [Sections 15 and 16]

- Report to the Minister of the Environment and recommend whether to continue the comprehensive study. [Section 21(2)]
- Provide direction to the proponent or other delegated party preparing the comprehensive study report (CSR).
- Ensure that the public is provided with an opportunity to participate in the comprehensive study. [Sections 21(1), 21.2]
- Ensure that a CSR is prepared and submitted to the Minister of the Environment and the Agency. [Section 21.1(1)(a)]
- After the Minister of the Environment's EA decision statement is issued, take a course of action, after taking into consideration the CSR and any appropriate mitigation measures. [Section 37(1)]
- Ensure that the appropriate mitigation measures are implemented. [Section 37(2)]
- Design a follow-up program and ensure its implementation. [Section 38(2)]

Expert federal authority (FA)

- Make available specialist or expert information or knowledge to the RA, if requested to do so by the RA (e.g., during the preparation and review of the CSR). [Section 12(3)]
- Comply with the FEAC's requests and determinations in a timely manner (e.g., participate in a project committee established for the project). [Section 12.5]
- Provide assistance in ensuring the implementation of the mitigation measures that you and the RA have agreed upon, if requested to do so by the RA. [Section 37(2.3)]
- Provide assistance in ensuring the implementation of the follow-up program that you and the RA have agreed upon, if requested to do so by the RA. [Section 38(4)]

Federal environmental assessment coordinator (FEAC)

- Ensure that the FAs are identified. [Section 12.2(a)]
- Coordinate the involvement of the RAs and FAs throughout the EA process. [Section 12.2(b)]
- Coordinate the fulfillment of the RA's Registry obligations. [Section 12.2(c)]
- Ensure that FAs fulfill their obligations under the Act in a timely manner. [Section 12.2(d)]
- Serve as the principal point of contact to other jurisdictions on behalf of

participating FAs. [Section 12.2(e)]

- Establish/chair the project committee, when appropriate. [Section 12.3(a)]
- In consultation with the FA, establish time lines for the comprehensive study and ensure that the time lines are respected. [Section 12.3(b)]
- Coordinate development of a work plan for the EA, when appropriate, in consultation with the project committee.
- Determine the timing of any public participation, in consultation with the RA. [Section 12.3(c)]
- Facilitate public access to Registry records by ensuring that a copy of any requested record is provided in a timely manner. [Section 55(3)]

***Canadian
Environmental
Assessment
Agency (Agency)***

- Ensure that the Registry Internet site is established and maintained. [Section 55.1]
- Advise RAs and FAs of their powers, duties and functions under the Act, and the manner in which those powers, duties and functions may be determined and allocated. [Section 12(2)]
- Serve as the FEAC for comprehensive studies (unless there is a specific agreement with the RAs). [Sections 12.4(1) and 12.4(3)]
- Provide expertise on the Act's requirements and quality assurance issues.
- Assist parties to build consensus and resolve disputes throughout the comprehensive study, as necessary. [Section 63(2)(f)]
- Establish and manage the participant funding program for the comprehensive study.
- Facilitate public access to Registry records by ensuring that a copy of any requested record is provided in a timely manner. [Section 55(3)]
- After receiving a CSR, facilitate public access to the report and publish a public notice. [Section 22(1)]
- Coordinate review by RAs of public comments on CSR.
- Ensure that the records of the Minister's decisions are included in the Registry Internet site. [Section 55.2(1)]

Proponent

- Provide information regarding the proposed project, including a detailed description of its phases, schedules and assessment considerations.
 - May consult with the public and key stakeholders.
 - May prepare the CSR and design/implement the follow-up program, if delegated to do so by the RA.
 - Provide additional information or address public concerns, at the direction of the Minister, prior to the Minister's EA decision statement.
 - Respond to questions that may arise from the review of submitted documents in a timely manner.
-

Other jurisdictions

- Participate in the comprehensive study through bilateral agreements or other cooperative arrangements, if appropriate.
 - Participate in a joint federal-provincial/territorial project committee established for the assessment, or directly with the Agency or the FEAC, as appropriate.
-

Minister of the Environment

- Determine whether the EA continues by means of a comprehensive study or is referred to a mediator or review panel. [Section 21.1(1)]
 - If necessary, request that the FA or the proponent ensure that additional information is provided or actions are taken to address outstanding concerns. [Section 23(2)]
 - Taking into consideration the CSR and any public comments, refer the project back to the RA and issue an EA decision statement. [Section 23(1)]
 - Refer a project to a mediator or review panel, if appropriate.
-

The public

- Participate in consultation(s) on the proposed scope of the project, the factors proposed to be considered, the proposed scope of those factors, and the ability of the comprehensive study to address issues relating to the project. [Section 21(1)]
 - Take part in opportunities provided by the RA to participate in the comprehensive study process. [Section 21.2]
 - Provide local knowledge to RA or proponent to increase their information and understanding of existing environmental conditions. [Section 16.1]
-



B. Summary of Registry Requirements

The Registry

To facilitate public access to records relating to each comprehensive study, a Canadian Environmental Assessment Registry (the Registry), consisting of a project file and project-specific Registry Internet site records, must be established.
















Registry records by phase





The following tables list the records to be produced and included in the Registry during each phase of a comprehensive study, as specified by sections 55.1 to 55.5 of the Act.

Each table indicates who is responsible for contributing each record and whether each record must be included in both the project file () and the Registry Internet site ().

















Note: All parties must contribute records to the project file and/or Registry Internet site according to legislative and policy obligations. All records included in the project file are available for public access under the *Access to Information Act*.

Phase 1: Plan the EA











RA	Agency	Registry Records
	 	An agreement regarding the federal environmental assessment coordinator, if applicable.
 		A notice of commencement, within 14 days after the commencement of the comprehensive study.
 		A description of the scope of the project.
		A description of the factors and the scope of those factors to be considered.
		A description of the factors and the scope of those factors to be considered <u>or</u> an indication of how such a description can be obtained.
 		Any notices issued to request public input.
 		A track report from the RA to the Minister of the Environment.
		Any comments filed by the public.
	 	A public notice of the Minister's track decision for the project.

 		Any other information that the RA or the Agency considers appropriate (e.g., work plans and time lines).
		All records produced, collected or submitted with respect to the EA of the project.

**Phase 2:
Conduct the
analysis and
prepare a
report**











RA	Agency	Registry Records
		Guidelines for the preparation of the EA report.
		Any report or analysis relating to the assessment (e.g., background or technical studies prepared or provided as part of the assessment).
		Any specialist or expert information or knowledge provided by an expert FA or other parties.
		Information requests to the proponent or other delegated party preparing the CSR and the responses to those requests.
		The EA report.
 		The CSR or an indication of how a copy of the report may be obtained.
		Any comments from expert FAs or other jurisdictions, the proponent and any others requested to review the EA report or the CSR.
 	 	Any notices issued to request public input.
		Any comments received from the public.
		Any other record that has been produced, collected or submitted as part of this phase (e.g., records of meetings to plan the public consultations).

**Phase 3:
Submit the
comprehensive
study report for
public review**











RA	Agency	Registry Records
		The CSR.
	 	The CSR or information on how to obtain a copy.
		Notices issued to request public input.
		Any comments filed by the public regarding the CSR.
		Any other record that has been produced, collected or

		submitted as part of this step (e.g., records of meetings to plan the public consultations).
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Phase 4: Make the EA decision

RA	Agency	Registry Records
	 	The Minister of the Environment's environmental assessment decision statement.
	 	The Minister's determination that more information is required or that public concerns need to be addressed (if applicable).
 		The RA's course of action.
		A statement of any mitigation measures taken into account in the EA decision(s).
		Any documents requiring mitigation measures to be implemented.
		Any other record that has been produced, collected or submitted as part of this phase (e.g., correspondence/ expert information provided by FAs).

Phase 5: Implement the mitigation and follow-up program

RA	Agency	Records
		Any records relating to the need for the follow-up program.
		Any records relating to the design or implementation of the follow-up program.
 		A follow-up program description summarizing the program and its results <i>or</i> an indication of how a full description of the program and its results may be obtained.
		Any documents requiring mitigation measures to be implemented.
		Other records that have been produced, collected or submitted as part of this phase (e.g., records of meetings of a follow-up committee).
 	 	Any other appropriate information.

C. Public Participation in a Comprehensive Study

What is public participation?

Providing an “opportunity for public participation” refers to an active approach to seeking information and feedback from the public. It must include a notice to inform the public of the opportunity to participate, as well as relevant information on time, location or deadlines.

Examples of such opportunities include providing a period of public review and comment and scheduling public meetings or open houses in a community.

What is *not* public participation?

In accordance with the Act, records produced or submitted with respect to the comprehensive study must be in the Registry, and the public has the right to request copies of these records.

This is not considered to be actively soliciting input from the public, and is not a case of the RA providing an opportunity for public participation for the purpose of section 21.2 of the Act.

Benefits of public participation

Public participation can:

- provide interested persons and organizations with a fair opportunity to contribute to the planning of projects that may affect them;
- allow proponents and FAs to better understand and address public concerns and priorities;
- reduce the potential for adverse environmental effects by identifying community knowledge and Aboriginal traditional knowledge that may be applied in the EA; and
- build greater public trust in the EA process and in the decisions that come out of that process.

Early and well-conducted consultations will likely result in a shorter review and commentary period later on in the process.

Public participation opportunities by phase

Opportunities for public participation may be provided at various phases of the comprehensive study.

As outlined in the following tables, there are requirements for public participation during the first three phases of a comprehensive study.

**Phase 1:
Planning the
environmental
assessment**

Requirement	Objective	Possible methods
Public participation is mandatory early on, when the RA is seeking information for the report to the Minister of the Environment regarding scoping and whether the project should continue to be assessed by means of a comprehensive study.	Identify public concerns with respect to the proposed scope of the EA, and other issues that may need to be considered. Incorporate public comments into the report and recommendation to the Minister.	Approaches may include meetings in the community or a public comment period on the scoping document.

**Phase 2:
Conduct the
EA and
prepare a
report**

Requirement	Objective	Possible methods
Mandatory during the conduct of the EA, prior to the completion of the CSR.	Obtain information (e.g., Aboriginal traditional knowledge and community knowledge) that can help to identify important environmental issues and appropriate mitigation, and help in the determination of the significance of effects. Integrate public comments into the analysis and report.	Approaches may include open houses and public meetings held in the area that are likely to be affected by the project, and a public comment period on the EA report. Internet-based consultations may also be used.

**Phase 3:
Submit the
comprehensive
study report for
public review**

Requirement	Objective	Possible methods
Mandatory once the RA has submitted the CSR to the Minister and the Agency.	Solicit comments on the CSR in order to assist in the Minister's EA decision.	Approach may include making the report available for comment in convenient locations within the project area and in public meetings.

Phase 4: Make the EA decision

No public participation in this phase.

The Minister considers the public comments from Phase 3, determines whether public concerns need to be further addressed and develops the EA decision statement.

Phase 5: Implement mitigation and follow-up program

Requirement	Objective	Possible methods
Optional during the design and implementation of the follow-up program.	Consider public input during the design and implementation of the follow-up program.	May be accomplished through public meetings or a public advisory committee.

Summary of Public Participation Opportunities

Checklist The following section provides a checklist for the public participation opportunities that are required, as well as those that are optional, during each phase of a comprehensive study.

Phase 1: Planning the environmental assessment (subsection 21(1))	Met?
The RA ensures public consultation on the:	
• proposed scope of the project;	<input type="checkbox"/>
• proposed factors to be considered;	<input type="checkbox"/>
• proposed scope of those factors; and	<input type="checkbox"/>
• ability of the comprehensive study to address issues relating to the project.	<input type="checkbox"/>
Phase 2: Conducting the environmental assessment and preparing a report	Met?
The RA ensures that the public is provided with an opportunity to participate in the comprehensive study. For example, to provide information or comments relevant to the EA of the project.	
<input type="checkbox"/>	
Phase 3: Submit the comprehensive study report for public review (subsections 22(1) and 22(2))	Met?
The Agency facilitates public access to the CSR and publishes a notice setting out:	
• the date when the report will be available to the public;	<input type="checkbox"/>
• the location where copies of the report may be obtained; and	<input type="checkbox"/>
• the deadline and address for filing comments.	<input type="checkbox"/>
Prior to the deadline, any person may file comments relating to the CSR.	<input type="checkbox"/>
Phase 5: Implement mitigation and follow-up program	Met?
The RA may solicit public input to identify public concerns and other issues.	
<input type="checkbox"/>	

D. Participant Funding for a Comprehensive Study

The Participant Funding Program	The Participant Funding Program supports public participation in comprehensive studies that are being conducted pursuant to the <i>Canadian Environmental Assessment Act</i> (the Act). The program is administered by the Agency.
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Who is eligible?	Under the program, funding is made available to individuals and not-for profit organizations interested in participating in an EA. The funding can cover eligible expenses, such as travel costs and fees for experts, in support of their participation.
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Benefits of funding	<p>One purpose of the Act is to ensure opportunities for timely and meaningful public participation throughout the federal EA process.</p> <p>Funding will enable public participation and will help to ensure that public concerns and values are taken into consideration during the process.</p>
<hr/>	
The participant funding process	<p>The Agency:</p> <ul style="list-style-type: none"> • announces participant funding levels and invites applications; • establishes a funding review committee to review applications and recommend funding awards to the Agency’s President; • announces funding awards and ensures that the contribution agreements are signed with successful applicants; and • manages the program funds throughout the comprehensive study by means of contribution agreements with funding recipients.
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Opportunities for participant funding	Funding is made available following the Minister’s decision regarding the appropriate environmental track. Funding can be used to participate in the consultation, which will be held during the conduct of the EA and during the public comment period on the completed CSR.
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Related guidance	For more details on the Program or applying for funding, please refer to the <i>Guide to the Participant Funding Program</i> available at http://www.ceaa-acee.gc.ca/012/013/Participant-Funding_e.pdf .
