

Nova Scotia's Environmental Assessment Process

<http://www.gov.ns.ca/nse/ea/>



EA in Nova Scotia

- Environmental assessment (EA) is a planning and decision-making tool used world-wide to promote sustainable development.
- Nova Scotia's EA process is defined in Part IV of the *Environment Act* and detailed in *Environmental Assessment Regulations* and *Environmental Assessment Board Regulations*.



EA in Nova Scotia

- Don't confuse EA with Environmental Site Assessment
- Don't confuse Provincial EA with Federal EA
 - The provincial and federal processes have similar aims but different triggers
 - When a proposed project is subject to both processes the two levels of government may choose to work together for greater efficiency

Benefits of EA

- Promotes sustainable development – EA helps balance environmental protection with economic development
- Promotes better project planning – EA staff help to identify and address environmental issues early in the process
- Helps build trust and confidence in developments – formal opportunity for the public to participate in the process
- Helps educate industry on how their developments affect the environment



Basic Components of an EA

- A description of the project and its processes
- A description of the existing environment where the project will go (VECs)
- A prediction of effects of the project on the environment
- Plans to avoid or “mitigate” effects on the environment

What Projects Need an EA ?

- Developments required to undergo environmental assessments in Nova Scotia are divided into two classes of “undertakings”.
 - Class I undertakings
 - Class II undertakings
- Schedule “A” of the *Environmental Assessment Regulations* lists undertakings subject to the EA process



Undertakings

- Class I undertakings (smaller scale):
 - Include developments such as mines, quarries, some developments in wetlands, and waste dangerous goods facilities.
- Class II undertakings (larger scale):
 - Include developments such as solid waste incinerators, petrochemical facilities, and pulp and paper plants



Class I & II Process:

Process basically follows three stages:

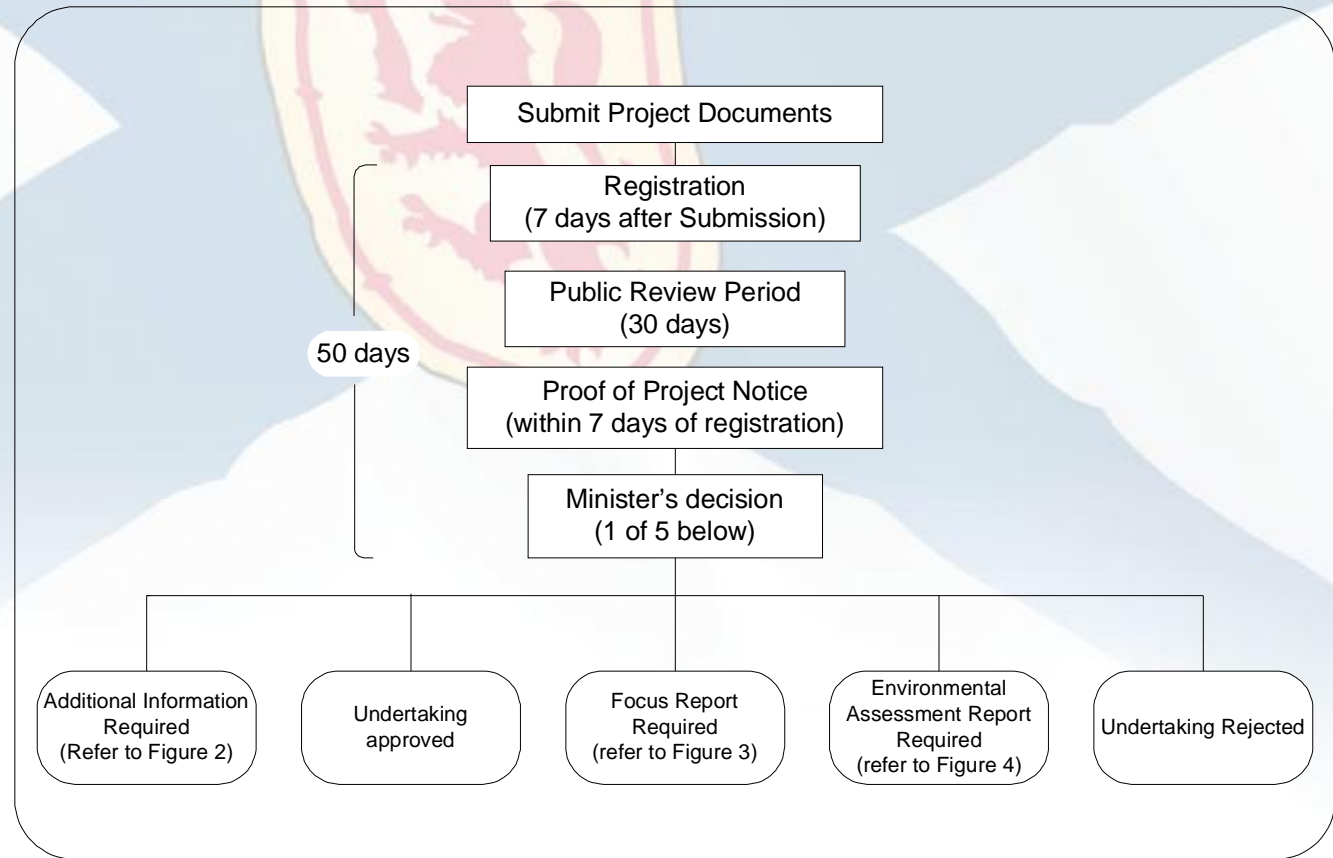
- Pre-registration is project activity that takes place prior to Registration (ie. Scoping meetings, draft review, etc.)
- Registration is the formal legislated process according to the EA Regulations
- Follow-up occurs immediately following the Minister's Decision and then annually*

Class I & II Process:

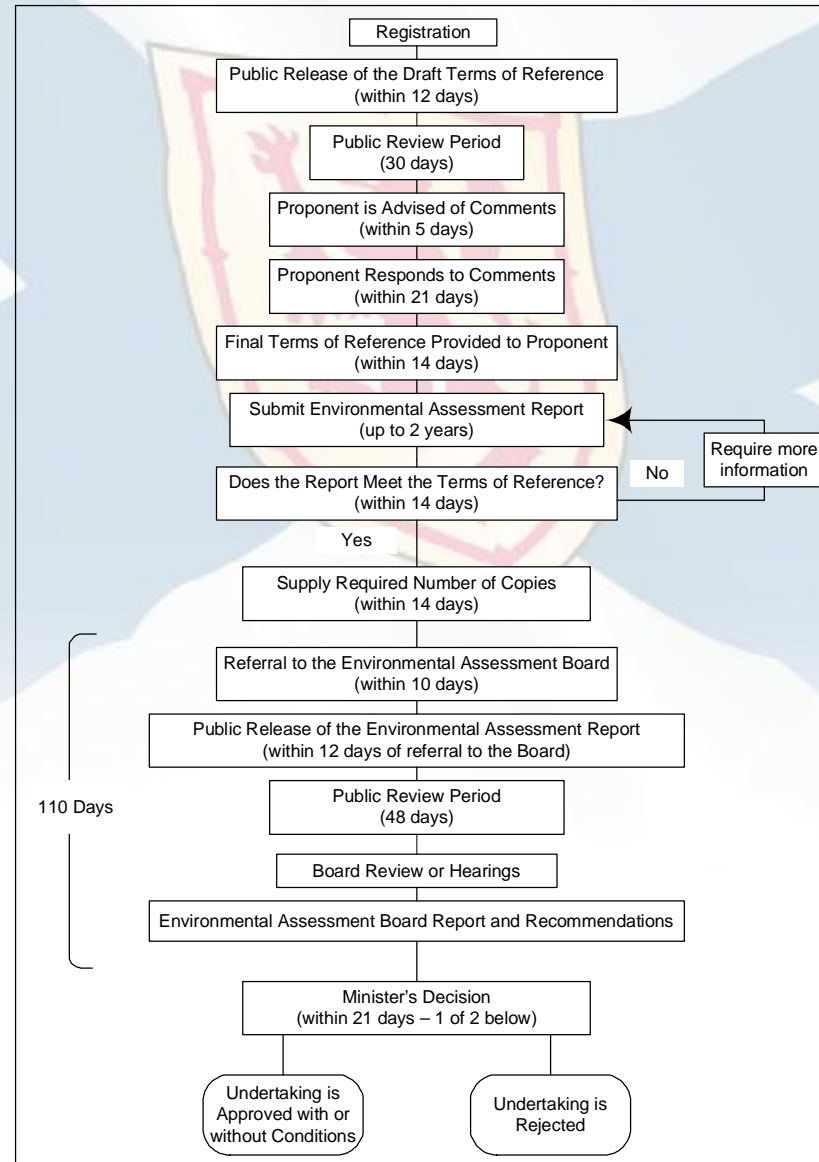
- Class I EA – 50 days
- Class II EA ~ 275 days
- Both include formal opportunities for public input
- Both require the Minister to make a decision on the environmental acceptability of the proposed undertaking.



Class I Process



Class 2 Process



Key Public Input Opportunities

- A 30 day review period for all Class 1 registrations, additional information and focus report submissions.
- A 30 day review and comment period for EA Report Terms of Reference.
- A 48 day review period for EA Reports.
- Opportunity to present at public hearings for projects referred to the EA Board.
- Participation in proponent lead consultation

Your Input Matters !

- All public input is reviewed and considered in the decision making process.
- Many project decisions are directly affected by public input.
- Your comments are on the public record.
- The proponent learns about public concerns through your participation in the process.

Minister's Decision Factors

- Location of the undertaking / sensitivity of surroundings
- Concerns expressed by public and aboriginal people and steps taken to address those concerns
- Whether environmental baseline information is sufficient to predict environmental effects
- Potential adverse or environmental effects
- Project schedules
- Planned/existing land use or other undertakings in the area
- Whether compliance with licenses, certificates, permits, approvals required by law will mitigate the environmental effects
- Such other information as the minister may require.

EA Branch Responsibilities

- The Environmental Assessment Branch is responsible for coordinating the EA Process established under the *Environment Act* and *Environmental Assessment Regulations*.
- The Branch ensures that all stakeholders are provided an opportunity to comment on projects, and that a Report and Recommendations is provided to the Minister within time frames established in the regulations.

EA Resources

On-line Information
(www.gov.ns.ca/nse/ea)

- *Citizens Guide to Environmental Assessment*
- Copies of legislation and regulations
- Copies of all EA Registration Documents filed since 2000

NSE Library

- Hard copies of environmental assessment documents
- Copies of all public and government reviewer comments submitted during project reviews

