

# 2010

**OAI/A**

**Ontario Association for  
Impact Assessment**



## Annual Conference

*Refocusing Federal Environmental Assessment Policy*

October 14 & 15, 2010

Tabaret Hall, University of Ottawa

Ottawa, Ontario

# Welcome!

With the *Canadian Environmental Assessment Act* undergoing Parliamentary review this year, it is time to take stock, identify what is working well and what needs to be improved in federal environmental practice. At this year's Annual Conference, we will examine the policy landscape with a view to identifying policy and practice recommendations that OAIA could eventually present to the Parliamentary Review. We are inviting various perspectives on selected issues about environmental assessment practice to provide insight on relevant considerations and options. The two day conference will cater to a broad audience with Day One focusing on broad policy issues related to federal EA. Day Two is aimed at practitioners and will feature a series of panel discussions on topics such as regional EA, approaches to stakeholder involvement, outcomes-based EA and adaptive management. The annual conference also provides students a chance to present posters on EA practice.

A special thank-you to all of our sponsors for helping to make this conference a success....

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# Speakers Biographies

ADAM

## Chamberlain

Adam Chamberlain is a partner with the law firm of Borden Ladner Gervais LLP in Toronto. Adam is the National Leader of the firm's Climate Change Group and a member of the firm's Environmental and Energy practices.

He acts as Environmental Assessment counsel on an array of large infrastructure projects in the energy, waste and wastewater sectors and is active in matters arising from Class and Screening Level EAs as well. Adam's role as an advisor to projects requiring EAs is varied and includes advice with respect to areas ranging from aboriginal consultation to EA implications of technical project details.

Adam supports and represents industry organizations in the energy and environmental sectors and has served as member of the Board of Directors of both the Ontario Energy Association and the Ontario Waste Management Association. Adam is a Certified Specialist in the area of Environmental Law. Outside of industry, Adam is a Director, and currently the President, of Camp Awakening, a summer camp for children with disabilities.

CAROLINE

## Burgess

Ms. Burgess leads AMEC Earth & Environmental's Human Environment Group in Ontario and has been involved in the planning and implementation of public participation programs that support resource extraction, watershed, energy, transportation and land use planning projects in Canada for 16 years. Her primary expertise is public and stakeholder participation strategy, environmental assessment and multi-stakeholder group facilitation. Caroline has experience managing and conducting socio-economic, resource use and traditional land use environmental assessments for resource development projects such as oil sands mines, pipelines, diamond mines, gold mines and processing facilities.

Recently, Caroline has been involved as the lead for stakeholder and Aboriginal engagement, socio-economic and traditional land use assessments for the Detour Lake Project (gold mine) located 185 km northeast of Cochrane, Ontario. She is also managing the human environment disciplines for the Star-Orion South Diamond Project in central Saskatchewan for Shore Gold. Caroline is a full member of the Canadian Institute of Planners, the International Association for Public Participation (IAP2), and the Ontario Association for Impact Assessment.

PETER

## Croal

Peter Croal is currently Manager of the Environmental Integration Unit, at the Canadian International Development Agency.

Peter has close to 30 years of poverty reduction development experience. Part of this time was spent working as a geologist and environmental specialist in Canada where he assisted First Nations in their economic development and environmental sustainability.

He joined the Canadian International Development Agency in 1993. There, he develops programs for CIDA, in conjunction with developing countries, on the integration of environmental sustainability criteria into poverty reduction programs. Peter has a broad range of exposure to development culture: he has travelled to over 30 developing countries; lived in Namibia for 2 years; and, has worked in the private sector, the federal government, and with NGOs (as employee and director); and is also advising the City of Ottawa on their environmental activities. He also advises international organizations such as the OECD, World Bank and UNEP. It is on this international exposure and experience that he will draw today.

JAN

## Dyer

Jan is currently the Director General, of the Sustainability Directorate, at Environment Canada. She is primarily responsible for the Federal Sustainable Development Strategy and the Canadian Environmental Sustainability Indicators.

Previously, Jan was the Director General, for Applied Research and Analysis, at Health Canada, where she was responsible for policy research and analysis across the department and for key health system indicators reported in "Healthy Canadians: A Federal Report on Comparable Health Indicators". She also served as a member of the Advisory Council for the Canadian Population Health Initiative. Prior to these posts, Jan held several other positions within government at Agriculture and Agri-food Canada, the Treasury Board Secretariat and Statistics Canada. She is a graduate of the University of Saskatchewan, where she received a Master of Science, in Agricultural Economics.

SCOTT

## Findlay

Scott Findlay is Professor in the Department of Biology, where he has been since 1988. He received his B. Sc. (Hon.) from Queen's University in 1981, and his Ph.D. from the Department of Zoology, University of Toronto in 1988, where he worked on mathematical evolutionary theory.

His main research interests concern the quantification of risks posed to ecosystem structure and function by human activities, development of metrics for assessing scientific weight of evidence, integration of traditional and western scientific knowledge, and the role of Darwinian evolution in tumourigenesis and the therapeutic response of cancer.

In May 2003, he was appointed Director of the Institute of the Environment at the University of Ottawa, and in July 2003 he was awarded the University of Ottawa Prize for Excellence in Teaching. In April 2005, he was appointed to the Science Advisory Board of the International Joint Commission, and in 2008 to the Challenge Advisory Panel to advise on the federal government's Chemical Management Plan. In September 2009, he was appointed to the Expert Advisory Panel to the Commissioner of Environment and Sustainable Development.

KEVIN

## Hanna

Kevin Hanna is an Associate Professor in the Department of Geography and Environmental Studies, at Wilfrid Laurier University. His research focuses on environmental impact assessment (EIA), integrated approaches to natural resource management, and forestry policy.

He is the principal investigator on multi-university research projects examining efficacy in Canadian EIA, and environmental adaptation planning in Canadian local governments. These projects are funded by the Government of Canada through the Social Sciences and Humanities Research Council.

He is also the editor of the books Environmental Impact Assessment, Participation and Practice (Oxford), Integrated Resource Management (Oxford), and Transforming Parks and Protected Areas (Routledge Taylor and Francis). With Ryan Bullock he is co-author of a forthcoming book on Communities and Forest Management (Cambridge).



# Day 1

PROGRAMME **Refocusing Federal Environmental Assessment Policy and Practice**  
 Taberet Hall, University of Ottawa | Thursday, October 14, 2010

TIME	SESSION	SPEAKERS
8:00 – 9:00 <i>am</i>	<b>Registration</b>	
9:00 – 9:15 <i>am</i>	<b>Welcome &amp; Framing the Discussion</b> <ul style="list-style-type: none"> <li>• Summary of legislative review process</li> <li>• Budget Implementation Act</li> </ul>	Phil Brennan, <i>OALA President</i>
9:15 – 10:30 <i>am</i>	<b>Revisiting First Principles</b> <ul style="list-style-type: none"> <li>• What is the purpose of EA and Strategic EA in decision-making?</li> <li>• What should be the federal role in EA and Strategic EA, given the constitutional division of powers and the lessons of the past twelve years?</li> </ul>	<ul style="list-style-type: none"> <li>• Stephen Hazell, <i>Counsel, Ecojustice</i></li> <li>• Dr. Robert Slater, <i>Adjunct Professor in the School of Public Policy and Administration</i></li> <li>○ MODERATOR: Phil Brennan, <i>OALA President</i></li> </ul>
10:30 – 10:50 <i>am</i>	<b>Refreshments and Poster Session</b>	
10:50 – 12:00 <i>noon</i>	<b>Measuring effectiveness</b> <ul style="list-style-type: none"> <li>• Has federal EA practice supported more environmentally-sustainable forms of development?</li> <li>• What criteria should one use in measuring effectiveness?</li> </ul>	<ul style="list-style-type: none"> <li>• Dr. Kevin Hanna, <i>Associate Professor, Department of Geography and Environmental Studies, Wilfrid Laurier University</i></li> <li>• Dr. Scott Findlay, <i>Department of Biology &amp; Institute of the Environment University of Ottawa</i></li> <li>○ MODERATOR: Simon Miles, <i>OALA</i></li> </ul>
12:00 – 1:15 <i>pm</i>	<b>Lunch</b>	
1:15 – 2:30 <i>pm</i>	<b>Making inter-jurisdictional cooperation work</b> <ul style="list-style-type: none"> <li>• What has been the experience with equivalency?</li> <li>• Has delegation or substitution in EA worked?</li> <li>• Is inter-jurisdictional cooperation effective?</li> <li>• How can cooperation improved?</li> </ul>	<ul style="list-style-type: none"> <li>• Justyna Laurie-Lean, <i>Vice President, Environment and Health, Mining Association of Canada</i></li> <li>• Adam Chamberlain, <i>Partner, Borden, Ladner, Gervais</i></li> <li>• Brian Torrie, <i>Director, Environmental Assessment Division, Canadian Nuclear Safety Commission</i></li> <li>○ MODERATOR: Janet Amos, <i>OALA</i></li> </ul>
2:30 – 2:50 <i>pm</i>	<b>Refreshments and Networking Session</b>	
2:50 – 4:00 <i>pm</i>	<b>Federal Sustainable Development Strategy and Environmental Assessment</b> <ul style="list-style-type: none"> <li>• What are the links between EA and the federal Sustainable Development Strategy?</li> <li>• Do the SDS goals and targets provide EA practitioners a useful framework for project and strategic EAs?</li> <li>• Does the SDS strategy influence what is needed in a revised CEA Act?</li> </ul>	<ul style="list-style-type: none"> <li>• Jan Dyer, <i>Director General of Sustainability and Information Integration, Environment Canada</i></li> <li>• Scott Vaughan, <i>Commissioner of the Environment and Sustainable Development</i></li> <li>• Pierre Sadik, <i>Manager, Government Affairs, David Suzuki Foundation</i></li> <li>○ MODERATOR: Simon Miles, <i>OALA</i></li> </ul>
4:00 – 4:45 <i>pm</i>	<b>Learning from Abroad</b> <ul style="list-style-type: none"> <li>• What does international experience tell us about Canadian EA practice?</li> <li>• Are there good practices that could be applied in the Canadian context?</li> </ul>	<ul style="list-style-type: none"> <li>• Peter Croal, <i>Acting Chief, Environmental Assessment and Compliance Unit, Canadian International Development Agency</i></li> <li>○ MODERATOR: Susan Ma, <i>OALA</i></li> </ul>
5:00 - <i>onwards</i>	<b>Networking at Neighboring Pub</b> Pub <i>to be determined</i> – plan to join us for the evening!	

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# Day 2

## Refocusing Federal Environmental Assessment Policy and Practice

PROGRAMME *Taberet Hall, University of Ottawa | Friday, October 15, 2010*

TIME	SESSION	SPEAKERS
8:00 – 9:00 <i>am</i>	<b>Registration and Networking Session</b>	
9:00 – 9:15 <i>am</i>	<b>Review of Day One</b>	Simon Miles, <i>OAIA</i>
9:15 – 10:15 <i>am</i>	<b>Applying EA in a regional setting</b> • How can we get a better quality job done?	• Dr. Peter Usher, <i>former member of Voisey’s Bay and Mackenzie Valley Gas Project EA Panels</i> ○ MODERATOR: Janet Amos, <i>OAIA</i>
10:15 – 10:35 <i>am</i>	<b>Refreshments and Poster Session</b>	
10:35 – 12:00 <i>noon</i>	<b>Approaches to Stakeholder Engagement</b> • What are the challenges in engaging stakeholders in EA? • How can stakeholder engagement be improved?	• Michael Wilson, <i>Executive Director, Environmental Assessment, Environment Canada</i> • Caroline Burgess, <i>Senior Consultant, Human Environment, AMEC Earth &amp; Environmental</i> • John Verbaas, <i>Sustainable Solutions</i> ○ MODERATOR: Lynne O’Neil, <i>OAIA</i>
12:00 – 1:15 <i>pm</i>	<b>Lunch</b>	
1:15 – 2:25 <i>pm</i>	<b>Considerations for Outcomes-Based EA</b> • What is outcomes-based EA? • Where is it appropriate? • What are its advantages and challenges in implementation? • Should it become the norm in EA?	• Peter Hale, <i>Environmental Assessment, Environment Canada</i> ○ MODERATOR: François Bregha, <i>OAIA President-Elect</i>
2:25 – 2:40 <i>pm</i>	<b>Refreshments and Networking Session</b>	
2:40 – 3:30 <i>pm</i>	<b>Achieving Adaptive Management</b> • Based on the Wolfe Island wind power case study, this session will examine what an adaptive EA process could look like • What are the necessary procedural elements in an adaptive EA process? • How can the quality of EAs be enhanced?	• Mathieu Leblanc, <i>Environmental Assessment Officer, Natural Resources Canada</i> • Garry Perfect, <i>Environmental Specialist, TransAlta Corp.</i> • Rob Read, <i>Environmental Assessment Officer, Environment Canada</i> ○ MODERATOR: Lynne O’Neil, <i>OAIA</i>
3:30 – 3:45 <i>pm</i>	<b>Wrap-up</b>	• François Bregha, <i>OAIA President-Elect</i>
4:00 – 4:45 <i>pm</i>	<b>OAIA Annual General Meeting</b>	<i>Please join us for this brief meeting looking back our recent successes and plans for the group in the future</i>

## Student Research Posters

Research posters will be on display during the entire conference.

A critical review of Health Impact Assessments in Ontario’s Nuclear Industry. *Mueller, William. Ryerson University.*

Paleolimnology: Providing a unique perspective to environmental assessment. *Ma, Susan. Queen’s University*

Monitoring the municipal solid waste landfill sites in Ottawa using multi-temporal Landsat satellite images. *Yan, Wei Yeung. Ryerson University.*

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STEPHEN

**Hazell**

Stephen Hazell is an environmental lawyer and advocate. He has held senior management positions in four national environmental organizations, the Canadian Environmental Assessment Agency, and a leading Ottawa-based consulting firm.

Stephen has been engaged in numerous environmental assessments of large development Projects, including the Joslyn North Mine Project, the Mackenzie Gas Project, the Great Whale hydroelectric project in northern Quebec, the Kiggavik uranium mine near Baker Lake, Northwest Territories, the Sydney Tar Ponds Clean-up Project, and the White's Point basalt quarry and marine terminal near Digby Nova Scotia. He initiated pivotal, precedent-setting law suits against the proposed Rafferty-Alameda dams in southern Saskatchewan and the proposed Cheviot open-pit coal mine near Jasper Alberta.

In the mid-1990s, Stephen led the team at the Canadian Environmental Assessment Agency that developed the regulations for the implementation of the *Canadian Environmental Assessment Act*. In the late 1980s, he led a coalition of 40 Canadian environmental and indigenous organizations that developed *Greenprint for Canada*, a comprehensive set of environmental policy and program recommendations which directly led to the Mulroney government's \$3 billion Green Plan. He has written numerous scholarly articles, as well as *Canada v. The Environment*, his 1999 book on federal environmental assessment law and policy.

GARRY

**Perfect**

Garry Perfect is an Environmental Specialist with TransAlta Corporation. Prior to joining TransAlta, Garry was actively involved in the environmental permitting and approvals processes for both the Melancthon and Wolfe Island Wind Plants. As an Environmental Specialist, Garry is responsible for coordinating the post-construction bird and monitoring programs at the TransAlta-owned and operated wind power facilities in Ontario and New Brunswick.

ROB

**Read**

Rob Read works for Environment Canada (EC) as an Environmental Assessment (EA) Officer in Ontario. His office is at the Canada Centre for Inland Waters in Burlington, Ontario. In his position, Rob obtains and delivers departmental advice from multiple disciplines on federal and provincial EAs in relation to EC's mandate. Rob works on EAs for projects involving electricity generation (e.g., wind power, natural gas plants), mining, transportation and infrastructure development.

PIERRE

**Sadik**

Pierre Sadik has worked extensively in the field of environment and conservation in both Canada and the United States. Mr. Sadik is a lawyer and has been with the David Suzuki Foundation for five years, where he holds the position of Manager of Government Affairs. He also writes the environment column for the Hill Times newspaper.

Since joining the David Suzuki Foundation Mr. Sadik has played a key role in the passage of the *Federal Sustainable Development Act*, which became law in 2008. His environmental expertise lies in the area of market-based instruments for greening the economy as well as the use of sustainable development strategies to promote sound environmental governance.

JUSTYNA

**Laurie-Lean**

Justyna Laurie-Lean is the Vice President, Environment and Health, of the Mining Association of Canada.

The Mining Association of Canada (MAC) is a national organization of the Canadian mining industry. It comprises companies engaged in mineral exploration, mining, smelting, refining and semi-fabrication. MAC's mission is to promote, through the collective action of members, the growth and development of Canada's mining and mineral-processing industry, for the benefit of all Canadians.

Justyna Laurie-Lean has been the MAC representative on the Minister's Regulatory Advisory Committee on CEEA for 19 years, and has been active in consultations on development of regulations and guidance and in the previous review of the Act.

MATHIEU

**Leblanc**

Mathieu Leblanc works as an Environmental Assessment (EA) Officer at the Renewable and Electrical Energy Division of Natural Resources Canada (NRCan), in Ottawa. His main task is to conduct environmental assessments (by reviewing environmental impacts studies) of power projects using renewable sources of energy (e.g., wind, low-impact hydro, biomass, solar photovoltaic, etc.), under the ecoENERGY for Renewable Power Program. He is responsible for the Ontario and Québec regions.

Before working for NRCan, Mathieu was a Scientific Evaluator in Toxicology at the Existing Substances Division of Health Canada, in Ottawa, where he had to assess the effects of various chemicals on human health under the Government of Canada's Chemicals Management Plan.

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BOB

## Slater

Dr. Robert Slater is currently Adjunct Professor in Environmental Policy at Carleton University. He is also President of Coleman, Bright and Associates, a consulting firm that operates internationally specializing in Sustainable Development issues and a Senior Fellow with the International Institute for Sustainable Development.

Dr. Slater occupied several senior positions at Environment Canada and was the Senior Assistant Deputy Minister for eight years. He was instrumental in establishing the National Roundtable on the Environment and the Economy—where he currently serves as Vice Chair—and the International Institute for Sustainable Development.

He also played a lead role in the renegotiation of the Great Lakes Water Quality Agreement in 1978, Acid Rain Agreements with Provincial Governments in the 80's, the Canada-US Accord on Air Quality, and the Green Plan. He led preparations for Canada's role in the UN Conference on the Environment ("Earth Summit") in Rio de Janeiro in 1992. He was responsible for legislative initiatives leading to the Canadian Environmental Protection Act (CEPA) and the Species at Risk Act (SARA) and led development of regulations limiting lead in gasoline and bringing auto emissions standards in line with those in US.

PETER

## Usher

Dr. Peter J. Usher is a geographer with nearly 50 years of research and consulting experience in northern Canada. He has operated an independent consultancy in Ottawa since 1977, specializing in environmental assessment, renewable resource management, and Aboriginal claims. He was a member of two federal environmental assessment panels, most recently the review of the Mackenzie Gas Project.

MICHAEL

## Wilson

Michael Wilson is Executive Director of Environmental Assessment and Marine Programs at Environment Canada.

Michael began work in the federal government, with Environment Canada in 2000, and joined the executive ranks in 2001. His first position, as an executive, was Director of Strategic Priorities, where he was responsible for developing policies and legislation for environmental protection and pollution prevention. In 2005, he was appointed Director General of Partnerships and Consultations, where he managed relations Environment Canada had with provinces, Aboriginal people and non-governmental organizations.

Michael is an environmental lawyer by training, with undergraduate and graduate degrees in business, law and environmental studies. Prior to joining the federal government, he worked as an environmental lawyer with an environmental non-governmental organization and as a policy advisor to the federal Minister of the Environment.

BRIAN

## Torrie

Since 2006, Brian Torrie has been the Director of the Environmental Assessment Division at the Canadian Nuclear Safety Commission (CNSC).

Brian began his career with the Federal Environmental Assessment Office (FEARO) where he worked on panel reviews for the Elliot Lake Mine Decommissioning and Low-Level Military Flights in Labrador. Later, with the Canadian Environmental Assessment Agency, he was the panel manager for the Voisey's Bay Environmental Assessment Panel.

After he left CEAA, he held positions at Indian Northern Affairs Canada as a federal lands claim negotiator, and with Citizen and Immigration and the Department of Finance as special projects manager. Just prior to joining CNSC, Brian was with Department of Fisheries Oceans as Director of Program Services in the Habitat Management Branch.

SCOTT

## Vaughan

Scott Vaughan was appointed Commissioner of the Environment and Sustainable Development in May 2008. Before joining the Office of the Auditor General of Canada, Mr. Vaughan worked for the Organization of American States (OAS), where he was the Director of the Department of Sustainable Development since 2003. The OAS is an intergovernmental organization comprised of 34 member states, including Canada, which works on strengthening democracy and implementing decisions adopted by heads of state and government through the Summit of the Americas.

Before his time with the OAS, Mr. Vaughan was a Visiting Scholar with the Carnegie Endowment for International Peace in Washington, D.C. in 2002–03. From 1998 to 2002, he was Head of the Economics, Trade and Environment Program at the North American Commission for Environmental Cooperation in Montréal, and from 1995 to 1998, he was a Counselor working on environmental issues at the World Trade Organization. He held a variety of positions with the United Nations Environment Program (UNEP) from 1989 to 1995, and founded UNEP's partnership with the financial services sector. He launched UNEP's work in environment and international trade, was Deputy Chief of the environmental economics division in Nairobi, and worked on the preparations for the 1992 Earth Summit.

Mr. Vaughan holds a master's degree in science and economics from the London School of Economics and Political Science. He is also a graduate of the University of Edinburgh, Dalhousie University, and Mount Allison University. He has published in the field of environment and trade, payment for ecosystem services, and, most recently, freshwater management and adaptation to climate change.

JOHN

## Verbaas

John Verbaas has had a 20 year career in product management and product strategy working in the data networking equipment industry. During this time he lived some years in Europe and was inspired that cities could be much better places to live. He is now active in his local community association and several other coalitions of community groups focused on transportation planning issues in the National Capital Region.

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