

Based on Chapter 8: “Putting Multi-jurisdictional Impact Assessment Into Action under the Impact Assessment Act” by Patricia Fitzpatrick, Arlene Kwasniak and A. John Sinclair

Cooperation under the *Impact Assessment Act*

Patricia Fitzpatrick & A. John Sinclair



THE UNIVERSITY OF
WINNIPEG



University
of Manitoba

Winnipeg is located in Treaty 1. We are privileged to live in the territory of Anishinaabeg, Cree, Oji-Cree, Dakota, and Dene Peoples, and the homeland of the Metis Peoples. The water we drink comes from Treaty 3 and the power we use comes from Treaty 5 and beyond.

Multi-jurisdictional IA

Achieving one-window IA
while meeting the
legislative requirements of
different jurisdictions

Key Principles (Expert Panel)

- *Cooperation be the primary mechanism for coordination*
- *Substitution be available (based on the highest standard)*

“Cooperation” under IAA

Coordinated Review

- *Coordinated Assessment*
- *Begins in planning phase*
- *Cooperation Plan*

Substitution

- *With jurisdiction*
- *With public input*
- *Does not require participant funding*

Delegation

- *To any person, body or jurisdiction*

Review Panel

- *Joint Review panel with jurisdiction*
 - *OR*
- *Joint integrated impact assessment with Energy regulators*

“Cooperation” under IAA

Coordinated Review

- *Gazoduq (QB)*
- *GTA West (ON)*

Substitution

- *Cedar LNG Project (BC)*

Delegation

Integrated Review Panel

- *Gazoduq Project*
- *DWS Cayoose Creek IR 1*

Cooperate if we can?

- *Suncore Base Mine Extension (AB) (review panel)*
- *GTA West (ON)*

Preliminary Conclusions

- *Still early days*
 - *Is there evidence of co-operation?*
- *Consistency may come with implementation of Planning Phase*
 - *Request for designated project may lead to irregularities*
- *Opportunity for substitution with Indigenous Government processes*