



Bill C-69
Impact Assessment Act
and Municipal Infrastructure

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Purpose of Bill C-69

To make significant improvements to three separate statutes:

- 1) Replace the *Canadian Environmental Assessment Act, 2012* with the ***Impact Assessment Act***;
- 2) Replace the *National Energy Board Act* with the ***Canadian Energy Regulatory Act***, and
- 3) Amend the *Navigation Protection Act*

History of Bill C-69

Expert Panel appointed in Aug 2016 to review federal assessment processes and make recommendations

Expert Panel Final Report Issued Apr 2017

1st Reading – House of Commons – Feb 2018

3rd Third Reading - Senate - May 2019

Royal Assent - Jun 2019

In force as of Aug 29 2019

Included and Excluded Projects

Included Projects:

Physical Activities Regulations SOR/2019-285

Electrical Transmission Lines of 345 kV or more that also require 75km of new Right-of-Way

A new bridge over the St. Lawrence Seaway

A new, all season, public highway requiring at least 75 km of new Right-of-Way

Hazardous waste recycling or disposal facility closer than 500 m to a natural water body

Included and Excluded Projects

Excluded Projects:

Ministerial Order SOR/2019-323

On developed federal lands, building or demolition of a building that has a foot print of 1,000 m³ or less

Charging stations for electric vehicles

Modification of a water treatment facility

Construction, replacement or abandonment of any of the following works located more than 30m from a water body and are underneath, on or alongside an existing road or railway:

- sewers and/or drains

- water pipelines less than 100 m in length

- telecom lines

- service tunnels

New Impact Review Agency

The new Act establishes the Impact Assessment Agency of Canada, (formerly the Canadian Environmental Assessment Agency) **as the sole authority to administer the Act.**

The new Agency will have the power to delegate any part of an impact assessment to a provincial government or an Indigenous governing body.

Unlike the MCEA process, the new Agency, not the proponent, posts a Notice to Commence an impact assessment.

New Planning Process

The new Act includes a mandatory Planning Phase which is intended to assist the Agency in deciding whether to carry out an assessment, whether to coordinate with other jurisdictions or agencies (e.g. provincial or municipal governments) and the scope of the assessment.

The Planning Phase also gives the minister an opportunity to cancel the project before an assessment is commenced if it is clear that the project would cause unacceptable impacts or that it will not be awarded key regulatory permits

Timelines Under the New Process

Once the Proponent has provided the Agency with all of the required information, including the Planning Phase information, the Agency must post the relevant project information online.

The Agency must decide within **180 days** of posting the project description whether to commence an impact assessment.

The impact assessment is initiated by the posting of a Notice of Commencement which outlines additional information and consultations that must be undertaken or provided by the proponent.

Timelines Under the New Process

The Proponent then proceeds with the required consultations and provision of information to the Agency.

Once the Agency has the required information from the Proponent, it must prepare and post a copy of its draft report for public comment. The Agency must finalize its impact assessment report and submit it to the Minister no later than **300 days** after it determined that the Proponent had provided all required information.

The Minister, may in certain circumstances, refer the impact assessment to a review panel.



The
**Canadian Impact
Assessment Registry**

www.ceaa.gc.ca



New Registry Enables Real Time Search of Projects

- ▶ Projects displayed on interactive maps
- ▶ Active or Completed Assessments
- ▶ By Province
- ▶ By Key Words
- ▶ By Regulatory Authority (e.g. Parks Canada or Indigenous Services Canada)
- ▶ Forestry
- ▶ Defence and Security

New Registry Enables Real Time Search of Projects by Project Type

- ▶ Buildings and Property Development
- ▶ Maintenance (fences and walls at or on federal lands)
- ▶ Ports and Harbours
- ▶ Highways and Roads
- ▶ Water Management (including treatment facilities)
- ▶ Forestry
- ▶ Defence and Security

Your Questions and Comments

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