

A Citizen's Guide to **Environmental Assessment**

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Policy Division
Environmental Assessment Branch

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INTRODUCTION

Nova Scotians place a high value on their environment and have an interest in ensuring developments do not create harmful environmental impacts. The people of Nova Scotia want to participate in decision-making regarding these developments.

In 1989, environmental assessment was developed as an environmental management tool to allow for the consideration of public concerns relating to broad environmental issues when evaluating proposed developments. Environmental assessment ensures that environmental, human health, socio-economic, cultural, historical, archaeological and architectural concerns from all stakeholders are identified and addressed at the earliest stage of development planning. Through consideration of these broad environmental issues and public concerns, the Minister of Environment decides whether or not the development can proceed in an environmentally sustainable manner.

Environmental assessment is used in every province and territory in Canada and in many countries world-wide. It is a tool which promotes good project planning, thereby avoiding or minimizing environmental impacts caused by a development. It also allows developments to incorporate environmental considerations at the planning stage, which may avoid expensive changes once the project design has been finalized.

The Nova Scotia *Environment Act* (Appendix A) and *Environmental Assessment Regulations* provide the legislative framework for environmental assessment that includes opportunities for public involvement. The Act and regulations are administered by Nova Scotia Environment through the Environmental Assessment Administrator, who is appointed by the Minister.

The Act and regulations are designed to identify the environmental impacts associated with designated development proposals (undertakings) long before the proposals are implemented. Environmental assessment gives government agencies, non-government organizations (NGOs), First Nations, local residents and the general public an opportunity to provide information that will be considered by the Minister when making a decision. Contributions from these groups are essential for environmental assessment to be successful. In addition, in certain circumstances, special consultations may be held with First Nations.

An environmental assessment can apply to undertakings by corporations and businesses of all sizes, municipalities, community groups, government departments and agencies, institutions, and individuals. It is vitally important, therefore, that everyone involved understand the Act and regulations governing environmental assessment.

This guide to the Act and regulations presents a concise overview of environmental assessment in Nova Scotia. This guide is not a legal authority and is not a substitute for the Act and regulations. Where the process and time frames given in this document differ from the regulations, the regulations shall prevail. For definitive reference, please refer to the official copies of the Act and regulations.

If you would like further information, please visit the Environmental Assessment Branch website at <https://www.novascotia.ca/nse/ea/>, or contact us by phone at (902) 424-3600, by fax at (902) 424-6925, by email at EA@novascotia.ca, or by mail at the following address:

Environmental Assessment Branch
Nova Scotia Environment
PO Box 442
Halifax, Nova Scotia
B3J 2P8

ENVIRONMENTAL ASSESSMENT

Definition and Purpose

Environmental assessment is a tool through which the environmental effects of an undertaking are predicted and evaluated, and a subsequent decision is made on the acceptability of the undertaking.

The purpose of environmental assessment is to promote sustainable development by protecting and conserving the environment. Environmental assessment promotes better project planning by identifying and assessing possible adverse effects on the environment before a new undertaking begins. This is accomplished by involving members of the public along with various government departments and agencies throughout the review of a proposed undertaking.

When discussing environmental assessment, it is important not to confuse it with another common practice called environmental site assessment. Where environmental assessment determines before a project begins if there will be any adverse environmental impacts, an environmental site assessment determines whether a particular property is or may be subject to contamination as a result of previous land uses. This type of assessment is usually requested by lending agencies (e.g. banks, etc.), sellers and buyers of property to ensure there is no liability associated with a property.

Environmental Assessment Branch

The Environmental Assessment Branch (EA Branch) promotes good project planning and sustainable development through the coordination and administration of environmental assessment in Nova Scotia as set out in the *Environmental Assessment Regulations*.

The EA Branch continually interacts with industry, various interest groups, First Nations, government departments and the general public to ensure that environmental assessment is open, transparent, accountable and effective. The EA Branch also works to harmonize environmental assessment in Nova Scotia with those of other jurisdictions when necessary.

At the initial stages of project development, the EA Branch works with proponents in identifying and addressing environmental concerns. After considering all of the information compiled through a public review, the EA Branch makes recommendations to the Minister regarding the proposed project. A follow-up procedure is carried out with the proponent for those developments that are approved to proceed.

Public Participation

Public participation is vital to the success of environmental assessment. Involvement from local residents and the general public is important in providing knowledge of local conditions and providing information, which could make a proposed development more acceptable.

A number of opportunities exist prior to and during an environmental assessment where members of the public can contribute. Depending on the level of assessment, public participation can range from involvement during the planning stages of a development, to submitting written comments or making a presentation at a public hearing.

Where can I review environmental assessment information?

Once the information has been submitted to the Department, it can be viewed at any one of the following:

- Environmental Assessment Branch website (<https://www.novascotia.ca/nse/ea/>)
- One of the two public viewing locations provided by the proponent
- Nova Scotia Environment Regional Office

While there is no requirement to involve the public, those people proposing new developments in Nova Scotia often choose to involve the local residents and other members of the public early in the project planning stages to get feedback on environmental concerns associated with that project. When these opportunities exist for public involvement, it is strongly recommended that all local residents and any other affected person provide their input to the developer so that changes can be considered, which will make the project more acceptable. In the past, public involvement has occurred through open house events, newsletters, door-to-door surveys, newspaper advertisements and 1-800 numbers.

During the actual environmental assessment review, notices will be published in newspapers and on the EA Branch website (<https://www.novascotia.ca/nse/ea/>), stating the release of environmental assessment information and inviting members of the public to submit comments.

Concerns expressed by the public about the adverse effects or the environmental effects of a proposed undertaking, and the steps taken by the proponent to address those concerns, will be considered by the Minister when making a decision. Should the Minister approve a proposed development to proceed, your comments may still be incorporated into the conditions of approval, which the proponent must abide by.

To whom should I address my comments?

Comments should be addressed to the Environmental Assessment Branch by phone at (902) 424-3600, by fax at (902) 424-6925, by email at EA@novascotia.ca, on the EA Branch website at <https://www.novascotia.ca/nse/ea/>, or by mail to the following address:

Environmental Assessment Branch
Nova Scotia Environment
PO Box 442
Halifax, Nova Scotia
B3J 2P8

Can I review previous environmental assessments?

Yes. Previous environmental assessments can be reviewed upon request (Appendix B).

Environmental assessments registered since 2000 can also be viewed at the EA branch website at: www.gov.ns.ca/nse/ea.

DEVELOPMENTS THAT REQUIRE ENVIRONMENTAL ASSESSMENT

Developments required to undergo an environmental assessment are listed in the *Environmental Assessment Regulations* (Table 1). These developments are called undertakings and are divided into two classes, Class 1 and Class 2.

Class 1 undertakings are usually smaller in scale and may or may not cause significant environmental impacts or be of sufficient concern to the public. A public review of a proponent's initial submission, called a registration document, is required, after which the Minister will decide if a more detailed review and/or public hearings are required. Examples of these types of developments include mines, certain highways and waste dangerous goods handling facilities.

Class 2 undertakings are typically larger in scale and are considered to have the potential to cause significant environmental impacts and concern to the public. These undertakings require an environmental assessment report (EA report) and formal public review which may include hearings. Examples of these types of developments include solid waste incinerators, petrochemical facilities and pulp and paper plants.

The Minister has the authority to apply an environmental assessment to a policy, plan or program, or a modification, extension, abandonment, demolition or rehabilitation to those undertakings listed in Table 1, and any other undertaking not listed as Class 1 or Class 2.

How long does it typically take to complete an environmental assessment?

A Class 1 environmental assessment typically takes 50 calendar days of process time to complete. However, the assessment may be extended if the Minister decides that more information, a focus report or an environmental assessment report is required. The amount of time it takes the proponent to prepare the registration document will depend on the complexity of the undertaking and the amount of information already available.

A Class 2 environmental assessment typically takes 275 calendar days of process time to complete, including the 110 days the Environmental Assessment Board has to conduct a public review or hearings. The proponent has up to two years outside of the review time to prepare the environmental assessment report.

Table 1: Schedule "A"

Category	Class 1
A. Industrial Facilities	<ol style="list-style-type: none"> 1. A storage facility with a total capacity of over 5000 m³ intended to hold liquid or gaseous substances, such as hydrocarbons or chemicals other than water. 2. A facility for the manufacture of wood products that are pressure treated with chemical products. 3. A facility that produces fish meal. 4. A rendering plant. 5. An onshore pipeline 5 km or longer, other than a pipeline that carries any of the following: <ol style="list-style-type: none"> a. natural gas, if the pipeline has a maximum operating pressure below 3450 kPa (500 psig); b. water; c. steam d. domestic wastewater. 6. A natural gas processing plant. 7. A paper product manufacturing plant 8. An oil refinery that: <ol style="list-style-type: none"> a. produces no more than 15,000 L of hydrocarbon products per day; b. uses feedstock that meets all of the following criteria: <ol style="list-style-type: none"> (i) it contains no more than 1% sulphur compounds by weight; (ii) it does not contain halogenated compounds.
B. Mining	<ol style="list-style-type: none"> 1. A facility that extracts or processes any of the following: <ol style="list-style-type: none"> a. metallic or non-metallic minerals; b. coal; c. peat; d. peat moss; e. gypsum; f. limestone; g. bituminous shale; h. oil shale. 2. A pit or quarry, other than a pit or quarry exempted under Section 4 of the regulations for the Department of Transportation and Infrastructure Renewal, that is larger than 4 ha in area for extracting on the following: <ol style="list-style-type: none"> a. ordinary stone; b. building or construction stone; c. sand; d. gravel; e. ordinary soil.
C. Transportation	<ol style="list-style-type: none"> 1. The construction of a new paved highway that is longer than 2 km and is designed for 4 or more lanes of traffic. 2. The construction of a new paved highway that is longer than 10 km and is designed for 2 or more lanes of traffic.

Category	Class 1
D. Energy	<ol style="list-style-type: none"> 1. A corridor for 1 or more electric power transmission lines that have a cumulative voltage rating equal to or greater than 345 kVA. 2. An energy generating facility, other than an emergency generator, that meets any one of the following: <ol style="list-style-type: none"> a. it has a production rating of at least 2 MW derived from wind, tides or waves, b. it has a production rating of at least 2 MW and no more than 25 MW derived from hydroelectricity, other than run-of-the-river facilities under 10 MW, c. it has a daily fuel input rating of at least 11 000 GJ and no more than 31 000 GJ derived from natural gas, d. it has a daily fuel input rating of at least 250 GJ, and no more than 2500 GJ derived from fossil fuels other than natural gas, e. it has a daily fuel input rating of at least 4000 GJ and no more than 10 000 GJ derived from fuels other than fossil fuels, but excluding solar power.
E. Waste Management	<ol style="list-style-type: none"> 1. A facility for storing, processing, treating or disposing of waste dangerous goods that were not produced at that facility Except all of the following facilities: <ol style="list-style-type: none"> a. a facility operated by, or on behalf of, a municipality or Provincial agency for waste dangerous goods collected only from residential premises, b. a facility in which asbestos waste is stored, if waste dangerous goods are not otherwise processed, treated or disposed of at that facility, c. a facility in which lead acid battery waste is stored, if waste dangerous goods are not otherwise processed, treated or disposed of at that facility 2. A facility for treating, processing or disposing of contaminated materials that is located at a site other than where the contaminated materials originated. 3. A thermal treatment facility as defined in the <i>Solid Waste-Resource Management Regulations</i> made under the Act.
F. Other	<ol style="list-style-type: none"> 1. An undertaking that involves transferring water between drainage basins, if the drainage area containing the water to be diverted is larger than 1 km². 2. An undertaking that disrupts a total of 2 ha or more of any wetland.

Category	Class 2
A. Industrial Facilities	<ol style="list-style-type: none"> 1. A facility for manufacturing, processing or reprocessing radioactive materials. 2. A heavy water plant. 3. A pulp mill. 4. A petrochemical manufacturing plant. 5. A cement plant. 6. An oil refinery other than an oil refinery listed as a Class 1 undertaking. 7. A non-ferrous or ferrous metal smelter. 8. A lead acid battery plant. 9. A ferro-alloy plant.
B. Energy	<ol style="list-style-type: none"> 1. An energy generating facility, other than an emergency generator, that meets any one of the following: <ol style="list-style-type: none"> (a) it has a production rating of more than 25 MW derived from hydroelectricity; (b) it has a daily fuel input rating of more than 31,000 GJ derived from natural gas; (c) it has a daily fuel input rating of more than 2,500 GJ derived from fossil fuels other than natural gas; (d) it has a daily fuel input rating of more than 10,000 GJ from fuels other than fossil fuels, but excluding solar power. 2. A water reservoir that has a storage capacity of 10 000 000 m³ or more than the mean volume of the natural water body source for which it is a reservoir.
C. Waste Management	<ol style="list-style-type: none"> 1. An incinerator as defined in the <i>Solid Waste-Resource Management Regulations</i> made under the Act.

Undertakings Exempt from Environmental Assessment

Registration is not required for the following:

- Nova Scotia Department of Transportation and Infrastructure Renewal (TIR) pits and quarries used solely to provide fill or aggregate for road building and maintenance contracts with TIR;
- routine maintenance or repair of existing facilities;
- policies, plans or programs developed after March 17, 1995, which will not directly or indirectly cause an adverse effect or significant environmental effect; or
- an undertaking that was registered before the *Environmental Assessment Act* (1989) and regulations became law.

CLASS 1 UNDERTAKINGS

Registration

An environmental assessment begins when the proponent of a Class 1 undertaking submits a document called a registration document to the Administrator, which outlines their proposal (Figure 1). Copies of the document are then distributed by the Administrator to various interest groups, First Nations, government departments and various public locations for review. The proponent will also be required to provide an electronic copy to be published on the EA Branch website for public review.

The proponent must place an advertisement in two newspapers, one with circulation in the vicinity of the undertaking and one with province-wide circulation (Figure 2). If there is no newspaper in the vicinity of the undertaking, the advertisement must be posted in a municipal building, post office or other public building in the area. The advertisement will provide information about the undertaking, indicate where the document can be viewed, and invite the public to submit any comments to the Administrator.

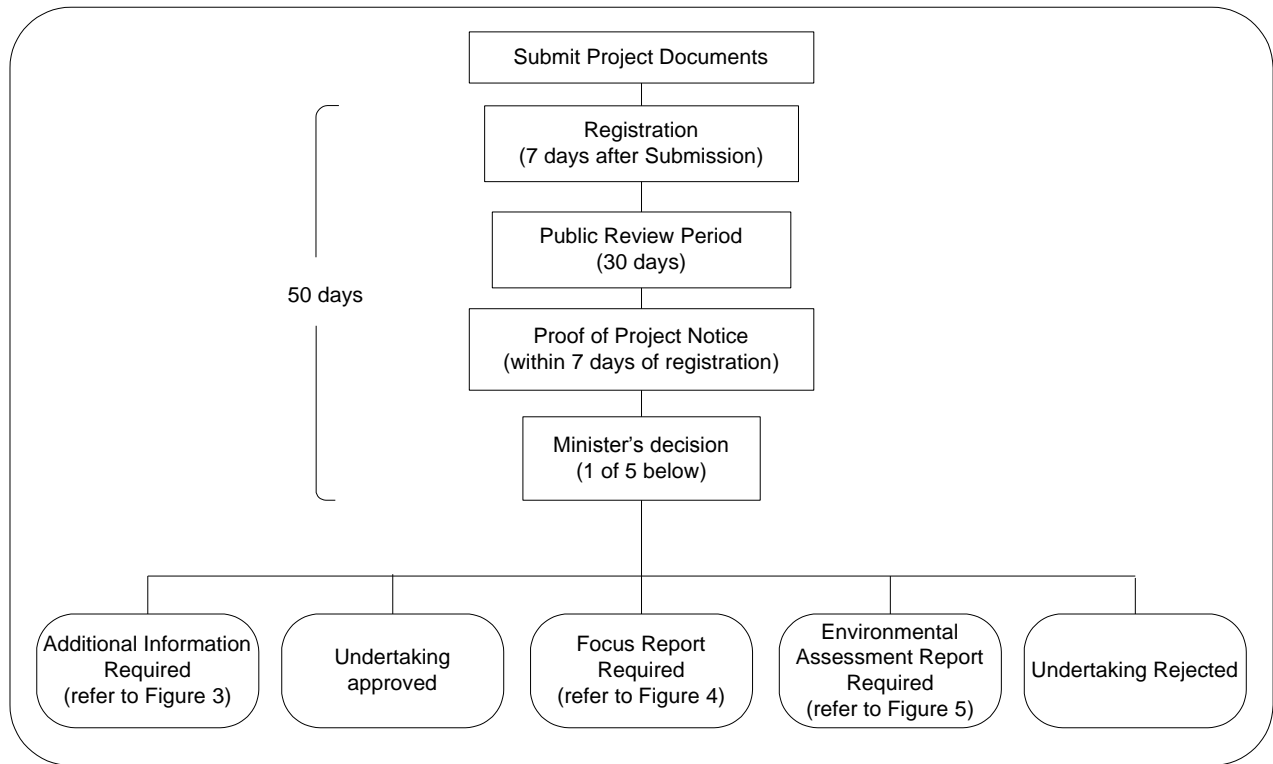


Figure 1: Steps Required During an Environmental Assessment - Class 1

The proponent must establish two viewing locations within the vicinity of the undertaking and supply each with a copy of the registration document. This will ensure that any person living in the local community will have access to the registration information. A typical public viewing location may be a local town office, library, corner store or other public location. The document will also be available for viewing at the nearest Environment office and at various non-government organizations.

How long is the public review period for the registration document of a Class I undertaking?

The public review period is 30 calendar days. Members of the public may phone, fax, email or submit written comments to the EA Branch. The remaining time of the 20 days is required for the EA staff to review comments submitted, respond to inquiries and prepare a report and recommendation for the Minister.

<div><h2 style="text-align: center;">NOTICE</h2><div>Registration of Undertaking for Environmental Assessment ENVIRONMENT ACT</div><p>This is to advise that on (DATE of REGISTRATION), (COMPANY) registered a (PROJECT NAME) for environmental assessment, in accordance with Part IV of the <i>Environment Act</i>.</p><p>The purpose of the proposed undertaking is to (BRIEF 2 - 3 SENTENCE DESCRIPTION, INCLUDING PROPOSED UNDERTAKING, LOCATION, PROPOSED COMMENCEMENT DATE AND PROJECT SCHEDULE WHERE APPLICABLE. IT IS IMPORTANT THAT THE INFORMATION PROVIDED BY THE PROPONENT IN THE NOTICE, IS CONSISTENT WITH THE PROPOSED UNDERTAKING).</p><p>Copies of the environmental assessment registration information may be examined at the following locations:</p><ul style="list-style-type: none">• 1st Public viewing location provided by the Proponent (e.g. local town office)• 2nd Public viewing location provided by the Proponent (e.g. local library, corner store or other public location)• Nova Scotia Environment, Regional Office• EA website (when available) https://www.novascotia.ca/nse/ea/<p>The public is invited to submit written comments to:</p><p style="text-align: center;">Environmental Assessment Branch Nova Scotia Environment P.O. Box 442, Halifax, Nova Scotia B3J 2P8</p><p>on or before (deadline date for public comments provided by NSE) or contact the Department at (902) 424-3600, (902) 424-6925 (Fax), or e-mail at EA@novascotia.ca.</p><p>All submissions received, including personal information, will be made available for public review upon request.</p><p>Published by: (COMPANY NAME AND ADDRESS)</p></div>
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Figure 2: Sample of a Public Notice

The Minister's Decision

Within 50 calendar days of receiving the registration document, the Minister must provide the proponent with a decision in writing. The Minister must decide one of the following: a) additional information required; b) undertaking is approved; c) undertaking is rejected; d) focus report required; or e) environmental assessment report required.

Can I appeal an environmental assessment decision?

Under Section 138 of the *Environment Act*, a decision of the Minister to approve or reject an undertaking for environmental assessment cannot be appealed.

What information will be considered by the Minister when making a decision for a Class I undertaking?

The Minister will consider the following information when making a decision:

- the location of the proposed undertaking and the nature and sensitivity of the surrounding area the size, scope and complexity of the proposed undertaking;
- concerns expressed by the public and aboriginal people about the adverse effects or the environmental effects of the proposed undertaking;
- steps taken by the proponent to address environmental concerns expressed by the public and aboriginal people;
- whether environmental baseline information submitted under subclause 9(1A)(b)(x) for the undertaking is sufficient for predicting adverse effects or environmental effects related to the undertaking;
- potential and known adverse effects or environmental effects of the proposed undertaking, including identifying any effects on species at risk, species of conservation concern and their habitats;
- project schedules where applicable;
- planned or existing land use in the area of the undertaking;
- other undertakings in the area;
- whether compliance with licenses, certificates, permits, approvals or other documents of authorization required by law will mitigate the environmental effects;
- such other information as the Minister may require.

Additional Information Required

Additional information may be required from the proponent if the registration information does not contain sufficient detail to allow the Minister to make a decision. Depending on the information submitted, the Minister may or may not require a public review of the information (Figure 3).

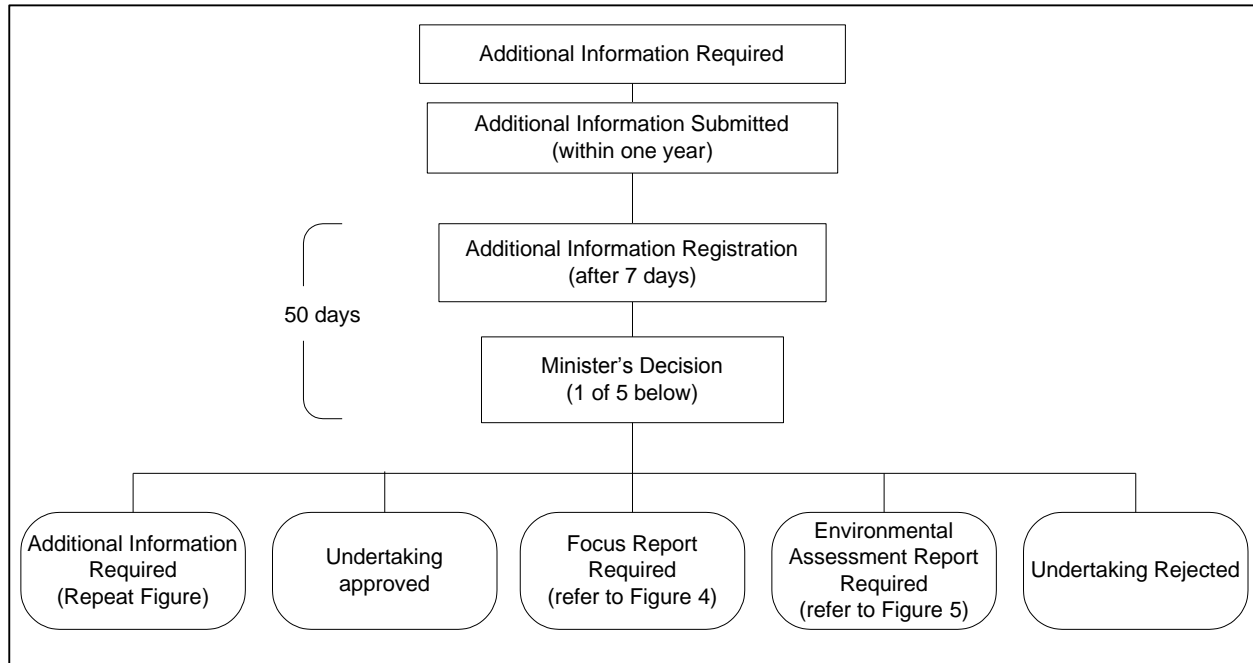


Figure 3: Additional Information Required

Approval

Approval is granted either with or without specific terms and conditions, when a review of the registration information indicates that there are no adverse effects or significant environmental effects which may be caused by the undertaking. The terms and conditions lay out the requirements of the proponent during construction, operation and reclamation if necessary, to monitor and mitigate any adverse effects or significant environmental effects.

Rejected

An undertaking is rejected when a review of registration information indicates that the undertaking is likely to cause adverse effects or significant environmental effects, which are unacceptable. The Minister must provide the proponent with written reasons stating why the undertaking is rejected.

Focus Report Required

The Minister may decide that a focus report is required of the proponent when further information is needed to address one or more specific aspects of the proposed project that are unresolved. Once the focus report is submitted, there will be a public review of the report, and the Administrator will prepare a report and recommendation for the Minister to consider when making a decision (Figure 4).

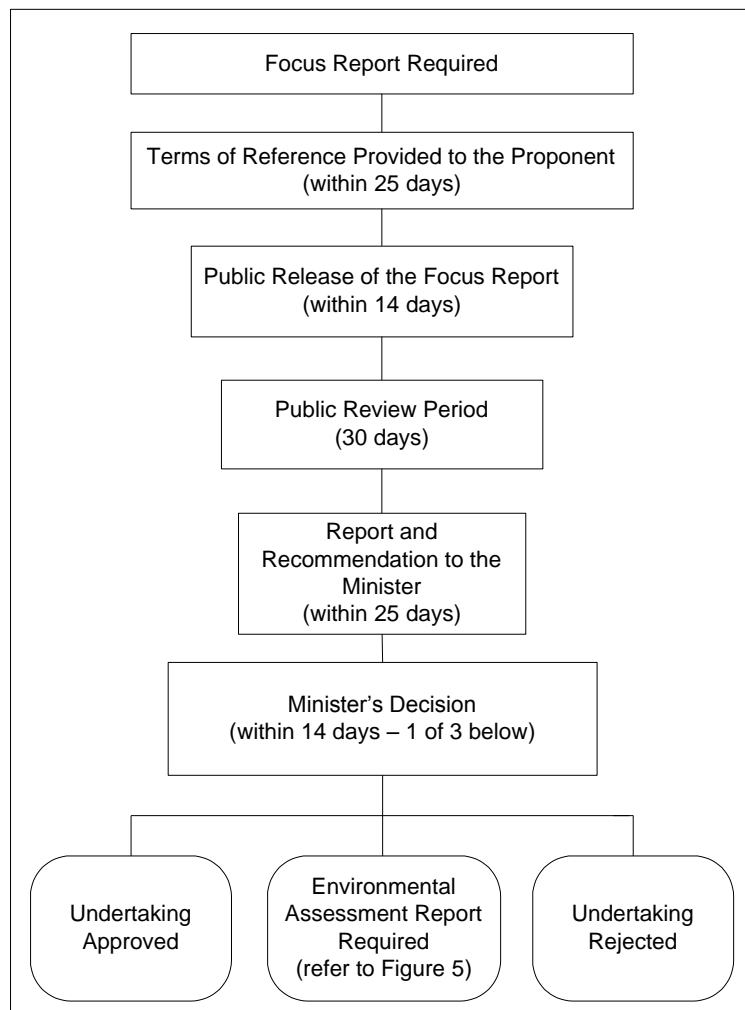


Figure 4: Focus Report Required

Environmental Assessment Report Required

The Minister may decide that an EA Report is required of the proponent when further information is needed to address several aspects of the proposed project that are unresolved. As a result, further public involvement is required at various stages (Figure 5).

The first opportunity will occur when the Administrator conducts a public review of the registration document and proposed terms of reference to determine what information needs to be included in the EA Report.

The second opportunity will occur once the EA Report has been submitted to the EA Branch. The Minister will then decide if the Administrator will conduct the public review, or if the EA Review Panel will conduct the public review, which may include public hearings.

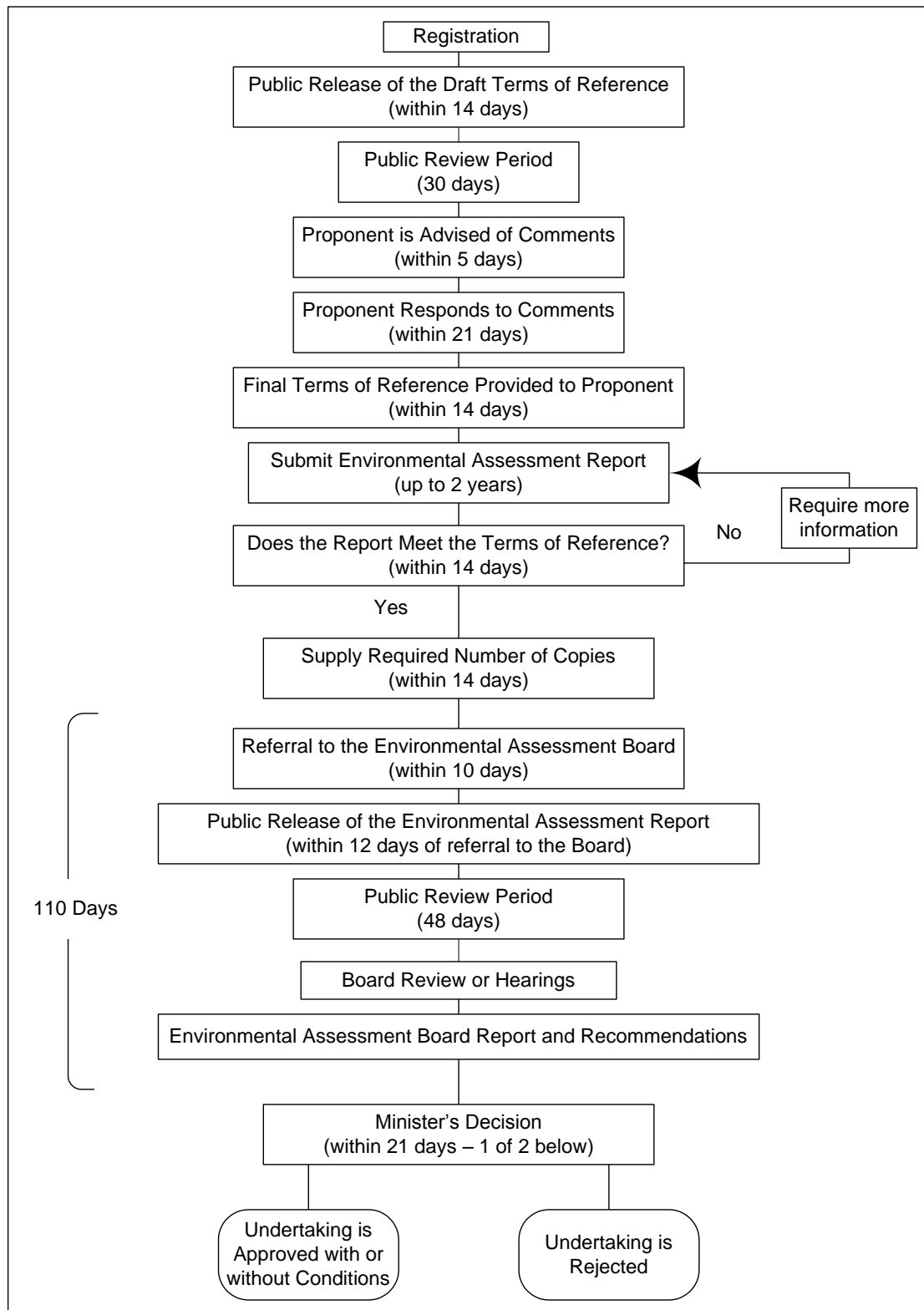


Figure 5: Environmental Assessment Report Required

CLASS 2 UNDERTAKINGS

Registration

The environmental assessment begins when the proponent of a Class 2 undertaking submits a registration document to the Administrator, describing the proposed undertaking (Figure 6).

Terms of Reference

For all Class 2 undertakings, the Administrator will prepare a draft terms of reference specifying the issues and concerns to be included in the EA report. The draft terms of reference and registration document will be released for review by members of the public, various interest groups, First Nations and government departments. Comments submitted during the public review period will be considered by the EA Branch when preparing the final terms of reference for the proponent.

How long is the public review period for the proposed terms of reference and registration document?

There will be a 30 day public review period once the draft terms of reference has been released to the public. Members of the public may phone, fax, email or submit written comments to the EA Branch.

Advertisements will be published in two newspapers, one with distribution in the vicinity of the undertaking, and the other with province wide distribution. If there is no newspaper in the vicinity of the undertaking, a notice must be placed in the municipal building, post office or other public building. The notice will indicate where copies of the draft terms of reference and registration document can be viewed and invite the public to submit comments to the EA Branch.

Environmental Assessment Report

Following receipt of the final terms of reference, the proponent will have up to two years to prepare and submit the EA report. The report will be reviewed by the EA Branch to ensure that the report is complete. If the report information is not sufficient, the proponent must provide additional information. When the report is complete, the Minister will formally accept the report as being suitable for public review, and it will be referred to the EA Review Panel for review.

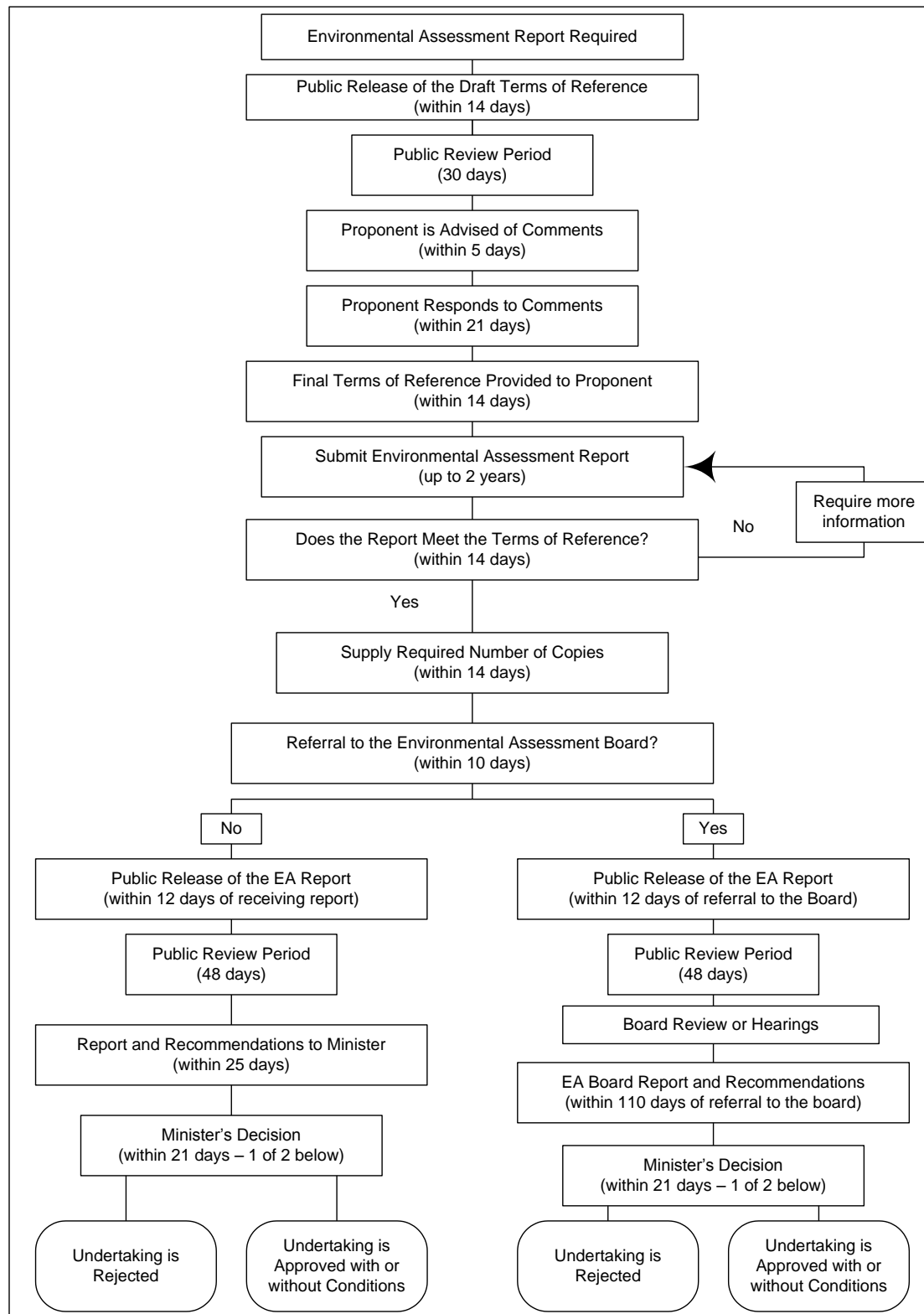


Figure 6: Steps Required During an Environmental Assessment – Class 2

Environmental Assessment Review Panel

Once the EA report is referred to the Review Panel, the Review Panel must notify the public of the report and conduct a public review. All comments received during the public review period will be considered by the Review Panel when making a recommendation to the Minister for a decision.

Instead of providing the Minister with a recommendation following the review period, the Review Panel may decide to conduct a public hearing to:

- receive submissions and comments from any interested party;
- ask questions and seek answers respecting the environmental effects of an undertaking; or
- provide information which will assist the Review Panel in the preparation of its report and recommendations to the Minister.

Hearings are conducted in a structured manner to provide the public with an opportunity to express their concerns in a non-judicial, informal and non-adversarial format. The length of the hearing will depend on the complexity of the issues and the number of submissions received.

Before a public hearing is to begin, the Review Panel will publish two Notice of Hearings in advance. The notices will include the time, place and purpose or subject of the hearing. A pre-session conference may be held with participants to explain the rules of procedure for the hearing, identify the witnesses, define the issues and estimate the length of the hearing. Any person wishing to present information or ask questions during a hearing must contact the Administrator no less than 14 days before the hearing is to begin.

Hearings are conducted in public and usually follow an established pattern. All evidence that is given during the hearing must be done under oath or affirmation. The proponent will begin by describing the undertaking and addressing any issues that were raised in the EA report. Other participants that have an interest in the subject matter will have an opportunity to address questions to the proponent. Following the proponent's initial presentation, other participants will be able to voice their concerns, provide information to the Panel, and answer any questions from the proponent. Before the hearing is finished, the proponent will have

How long is the public review period for an EA report?

There will be a 48 day public review period once the EA report has been released to the public.

If the Review Panel decides to conduct public hearings, the hearings must be completed within the 110 day period, and the Review Panel also must submit a report and recommendation to the Minister within the same time period.

Is there any funding available for public participants?

There is no funding available for public participation during an environmental assessment.

How long does the Review Panel have to submit a report and recommendation to the Minister?

Once the EA report has been referred to the Review Panel, the Panel must submit a report and recommendation to the Minister within 110 days.

the option to make a final presentation to the Review Panel in response to the matters raised at the hearing.

Participants can submit written arguments to the Review Panel within 14 days following the hearing.

Following the public hearings, the Panel must submit a report and recommendation to the Minister for consideration when making a decision.

Minister's Decision

The Minister must decide one of the following: a) approval with conditions; b) approval without conditions; or c) undertaking is rejected.

Approval with Conditions

The undertaking is approved subject to specific terms and conditions. The terms and conditions lay out the requirements of the proponent during construction, operation and reclamation if necessary, to monitor and mitigate any adverse effects or significant environmental effects.

Approval without Conditions

The undertaking is approved as proposed in the EA report.

Rejected

The undertaking is rejected and the proponent must not proceed any further with the plan as proposed. The Minister will provide the proponent with written reasons stating why the undertaking is rejected.

What information will be considered by the Minister when making a decision for a Class 2 undertaking?
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The Minister will consider the recommendation made by the Review Panel when making a decision.
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THE VALUE OF YOUR PARTICIPATION

New developments in Nova Scotia are needed to provide jobs and maintain our current standard of living. However, these developments should not compromise our environment, local economy or our communities. To help achieve sustainable development, the environmental assessment requires an extensive review for any development considered to cause significant effects to the environment, and the socio-economic and cultural well being of a community.

During a review, the Nova Scotia Environment encourages members of the public, various interest groups, First Nations and government officials to review the proposed planning information and provide valuable information and knowledge, which will make a proposed development more acceptable. Comments received during a review will be considered by the Minister when making a decision and when preparing conditions for approved projects.

Where can I find more information about environmental assessment in Nova Scotia?

For more information, please refer to the various other guides to environmental assessment at the EA website at <https://www.novascotia.ca/nse/ea/>, or email the EA Branch at EA@novascotia.ca.

Participation from all Nova Scotians is vital for environmental assessment to be successful. The people of Nova Scotia want to participate in the decision-making for proposed developments which affect their community. Environmental assessment provides them with that opportunity.

GLOSSARY

Please refer to the *Environment Act*, *Environmental Assessment Regulations* and the *Environmental Assessment Review Panel Regulations* for complete definitions.

Administrator

A person appointed by the Minister for the purposes of the Act, and includes an acting Administrator.

Adverse Effect

An effect that impairs or damages the environment, including an adverse effect respecting the health of humans or the reasonable enjoyment of life or property.

Commence Work

To begin construction or site preparation for an undertaking or any part thereof.

Day

A calendar day. Except December 23 to January 2 which are considered one day for the purposes of the Environmental Assessment Regulations.

Environment

The components of the earth and includes:

- (i) air, land and water;
- (ii) the layers of the atmosphere;
- (iii) organic and inorganic matter and living organisms;
- (iv) the interacting systems that include components referred to in subclauses (i) to (iii); and
- (v) for the purposes of Part IV, the socio-economic, environmental health, cultural and other items referred to in the definition of environmental effect.

Environmental Assessment

A process by which the environmental effects of an undertaking are predicted and evaluated and a subsequent decision is made on the acceptability of the undertaking.

Environmental Assessment Report

A report that presents the results of an environmental assessment.

Environmental Effect

In respect of an undertaking:

- (i) any change, whether positive or negative, that the undertaking may cause in the environment, including any effect on socio-economic conditions, on environmental health, physical and cultural heritage or on any structure, site or thing including those of historical, archaeological, paleontological or architectural significance, and
- (ii) any change to the undertaking that may be caused by the environment,

whether the change occurs inside or outside the Province.

Environmental Site Assessment

The process by which an assessor seeks to determine whether a particular property is or may be subject to contamination.

Focus Report

A report that presents the results of an environmental assessment of a limited range of adverse effects that may be caused by the undertaking.

Hearing

A public hearing or review before the hearing panel.

Proponent

A person who:

- (i) carries out or proposes to carry out an undertaking; or
- (ii) is the owner or person having care, management or control of an undertaking.

Significant

With respect to an environmental effect, an adverse impact in the context of its magnitude, geographic extent, duration, frequency, degree of reversibility, possibility of occurrence or any combination of the foregoing.

Undertaking

An enterprise, activity, project, structure, work, or proposal and may include, in the opinion of the Minister, a policy, plan, or program that has as adverse effect or an environmental effect and may include, in the opinion of the Minister, a modification, extension, abandonment, demolition or rehabilitation, as the case may be, of an undertaking.

Wetland

Land that is commonly referred to as marshes, swamps, fens, bogs, and shallow water areas that are saturated with water long enough to promote wetland or aquatic processes which are indicated by poorly drained soil, vegetation and various kinds of biological activity which are adapted to a wet environment.

APPENDIX A

ENVIRONMENTAL ASSESSMENT LEGISLATION

- Environment Act, c. 61, 2011
(<http://nslegislature.ca/legc/statutes/environment.pdf>)
- Environmental Assessment Regulations, N.S. Reg. 120/2017
(<http://novascotia.ca/just/regulations/regs/envassmt.htm>)
- Environmental Assessment Review Panel Regulations, N.S. Reg. 19/2013
(<http://novascotia.ca/just/regulations/regs/envreviewpanel.htm>)
- Activity Designation Regulations, N.S. Reg. 120/2016
(<http://novascotia.ca/just/regulations/regs/envactiv.htm>)

APPENDIX B

CONTACT INFORMATION

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APPENDIX C NOVA SCOTIA ENVIRONMENT ADDRESSES

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