# Supplementary Material 2:

# Narrative description of data and information requests from impact assessment regulators

Supplement to:

Westwood et al. Mines, mines, & more mines: A spatiotemporal analysis of mining projects assessed under impact assessment laws and regulations in Canada. *FACETS*.

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Between September 2023 and November 2024, the research team attempted to access impact assessment (IA) documents not available on public repositories. Here we provide a narrative documenting our correspondence with each jurisdiction.

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# Form email

We initially contacted each jurisdiction using a customized version of the following email to request data:

[Example]

***To:*** [*registry-registre@iaac-aeic.gc.ca*](mailto:registry-registre@iaac-aeic.gc.ca)*,*

***From:*** [*woodlab@dal.ca*](mailto:woodlab@dal.ca)

*September 23, 2023*

*To whom it may concern,*

*As part of a study being conducted by researchers in the School for Resource & Environmental Studies at Dalhousie University, we are reaching out to request documents and data related to environmental assessment (EA/EIA).*

*In order to conduct our study, we are attempting to assemble a comprehensive database of all mining projects in Canada that have undergone the EIA process, including under all current and former federal, provincial, and territorial EIA laws and processes.*

*The scope of our research includes* ***all mining projects in Canada that have completed the EIA process*** *(ie., a final decision on the project was made) as of* ***September 1, 2023****. Our criteria for what constitutes a ‘mine’ includes any development that extracts and produces base metals (e.g., copper, zinc, nickel, iron, uranium), precious metals (e.g., gold, silver, platinum), non-metals (e.g., coal, oil sands, diamond), or industrial materials (e.g., gravel, sand, marble, limestone). We are interested in acquiring EIA documents and other data (e.g., spreadsheet) related to the initial EIA (for both approved and rejected projects) for* ***every mining project since the beginning of EIA in your jurisdiction****. Specifically, we are looking for information that would address the following components for every mining project.*

* *Mine name*
* *Jurisdiction (Province/Territory/Federal)*
* *Law approved under*
* *Target mineral(s)*
* *Size (production capacity - average tonnes/day)*
* *Lifespan (years)*
* *Footprint (hectares)*
* *Type (open pit, underground, both)*
* *Date approved (YYYY-MM-DD, if applicable)*
* *Date rejected (YYYY-MM-DD, if applicable)*
* *Date closed (YYYY-MM-DD, if applicable)*
* *Nearest town/city*
* *Location (latitude, longitude)*

*Furthermore, we are also aware that mining projects may be permitted to change their operating conditions post-EIA through a process known as a decision statement amendment. We would like to request that these documents (including all interim documents, and not just the most recent one) be provided for every project that meets the criteria outlined above.*

*Thank you very much for your cooperation and we look forward to hearing from you.*

# Summary of correspondence by jurisdiction

Here we summarize correspondence with each jurisdiction. Complete correspondence records and all received files are available [on github](https://github.com/WestwoodLab/Mining-Project/tree/main/P1%3A%20Mines%2C%20mines%20and%20more%20mines/Information%20Requests).

## Federal – Impact Assessment Agency of Canada

* Sept 23, 2023: Form letter sent to [registry-registre@iaac-aeic.gc.ca](mailto:registry-registre@iaac-aeic.gc.ca)
* Sept 26: Confirmation of inquiry received. We were informed that since the Canadian Impact Assessment Registry was looking into how to best accommodate our request, a response would take longer than that prescribed by their usual business standards.
* Oct 8: We received an email requesting we clarify the date range of our inquiry.
* Nov 1: We sent a request for follow-up.
* Nov 21: IAAC sent us a spreadsheet extracted from the Registry relevant to mines and minerals. They also offered access to an existing, voluntarily maintained, incomplete spreadsheet of EIAs completed between 1995 – 2003, which IAAC thought may be helpful, despite potential limitations (e.g., no document access).
* Jan 17, 2024: We receive access to this spreadsheet from IAAC.

*Conclusion:* Between the relative completeness of the federal [Canadian Impact Assessment Registry](https://iaac-aeic.gc.ca/050/evaluations) and the additional information received, we were satisfied that we could access the information necessary to undertake this research project.

## British Columbia – Environmental Assessment Office

* Sept 23, 2023: Form letter sent to [eaoinfo@gov.bc.ca](mailto:eaoinfo@gov.bc.ca)
* Oct 27: Follow-up sent. No response had yet been received.
* Oct 30: Principal Investigator has correspondence with a personal contact in the BC Environmental Assessment Operations Division. This person responded that they would investigate if any such database existed, otherwise, we were advised to consult existing data available on the registry.

*Conclusion:* Given the relative navigability of BC’s online environmental assessment registry and ease of document access, our research team opted to rely solely on the public registry rather than continuing to pursue communications with the province.

## Alberta – Environment and Protected Areas

* Sept 23, 2023: Form letter sent to [environmental.assessment@gov.ab.ca](mailto:environmental.assessment@gov.ab.ca)
* Oct 27: Follow-up sent. No response had yet been received.
* Oct 31: We received a response from Ministry of Environment and Protected Areas asking to speak to a member of the research team regarding the request.

*Conclusion:* Given the relative navigability of Alberta’s online environmental assessment registry, our research team opted to rely solely on the public registry rather than continuing to pursue communications with the province.

## Saskatchewan – Environmental Assessment and Stewardship

* Sept 23, 2023: Form letter sent to [centre.inquiry@gov.sk.ca](mailto:centre.inquiry@gov.sk.ca)
* Oct 2: We received a response instructing us to consult the Saskatchewan Interactive Map, which we were told would provide “most of the information” we were seeking. We were instructed to proceed with an Access to Information request for any missing information or for documents related to any changes in approved development which did not trigger a new environmental impact assessment.
* Nov 10: We submitted an access to information form.
* Nov 17: We were asked to narrow our scope to avoid incurring fees associated with the request.
* Nov 18: We amended our request to be more specific.
* Nov 23: We were advised that some of what we were requesting (technical proposals) may not exist for all projects prior to 2022, and asked to further reduce the scope of our request to avoid incurring fees.
* Nov 24: After searching the online registry to determine which project information seemed complete, we narrowed the scope of our requests further to request only documents for projects assessed between 2006-2011.
* Dec 14: We were informed that some of the records that we had requested contained third party information, meaning that the third party would have 20 days to provide the Saskatchewan Ministry of Environment with representations as to whether the records contained information as referred to in s. 19(1) of the *Freedom of Information and Protection of Privacy Act*. We were also informed that the legislated response time of 30 days would be extended another 30 days to January 10th, 2024
* Jan 4, 2024: We received a status update informing us that despite a lack of legislative authority to further extend the time for a response, we would not be receiving any information within the mandated timeframe. It was explained to us that this was because of the volume of our request, third party objections, and office closures over the winter holidays.
* Feb 15: We sent a follow-up message inquiring as to the status of our request.
* Feb 16: We were advised our request was still being worked on.
* Mar 7: We were notified that we would be receiving partial access to one set of third-party records, and that the remaining records, which were not subject to the objection in question, would be mailed to us on a USB drive. We were also informed that there was an additional set of records, amounting to approximately 5000 pages which were still being processed.
* March 28: We received the first set of third-party records by USB drive and confirmed receipt. We also received the additional 5000 pages via electronic file transfer.
* May 1: We were informed that the third party for the remaining files had exercised their ability to review the Ministry’s decision.
* May 10: We informed the Office that due to the extended timeline, as well as the considerable volume of data already received from the province, we did not wish to proceed with this review.
* May 14: The Ministry of Environment reached out to confirm that we no longer required this third-party information.
* May 27: We consented to the cancellation of our request.

*Conclusion:* The extended timelines associated with obtaining the full scope of the relevant records identified by the provincial registry, in combination with the document disclosure which we had already received left our research team satisfied that we had obtained as much information as was reasonably possible given project timelines.

## Manitoba – Environmental Approvals Branch

* Sept 23, 2023: Form letter sent to [publicregistry@gov.mb.ca](mailto:publicregistry@gov.mb.ca).
* Sept 27: We received a response explaining that the Branch lacked the capacity to gather and provide all of the information requested. We were directed towards the online public registry, which contains information related to all proposals received since January 1, 2013, as well as a few older projects.

*Summary:* Even though the registry would not, alone, supply us with enough information to fully answer our research questions, we chose not to continue to pursue communications with the province. We instead used a database which had been compiled by one of the coauthors of this research for a separate project.

## Ontario - Ministry of the Environment, Conservation and Parks

* Sept 23, 2023: Form letter sent to [enviropermissions@ontario.ca](mailto:enviropermissions@ontario.ca).
* Oct 4: The response indicated that as the EA process had been done on paper for the first 25 years of environmental assessment in the province, it would be “hard to find documentation for those projects”. We were also asked to clarify our request in light of the distinction between class and individual EAs in Ontario.
* Oct 19: We requested documentation to individual EAs, as well as a contact to obtain further documentation with respect to class EAs.
* Oct 24: We were informed that since the class EA process was proponent driven, no ministerial decisions with respect to class EAs existed and that mining projects were not subject to individual EA.
* Oct 27: We received a follow-up providing further details as to the EA requirements in Ontario.
* Nov 6: We submitted a revised request, asking for all documentation related to mining projects that had voluntarily undergone individual EA in Ontario.
* Nov 17: Our revised request was acknowledged.
* Jan 5, 2024: We sent a follow-up requesting an update on the status of our request.
* Jan 26: We received a partially complete spreadsheet of resources related to our request.

*Conclusion:* Ontario’s approach to EA—having a proponent driven EA process and not subjecting mines to individual EA—made it such that much of the documentation that we were seeking in our research did not actually exist. This considerably reduced the number of Ontario projects which fit within our study scope, and we proceeded as such.

## Quebec - Ministère de l’Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs

* Sept 23, 2023: Form letter sent to [acces@environnement.gouv.qc.ca](mailto:acces@environnement.gouv.qc.ca).
* Sept 26 : We were informed that pursuant to article 47 of the *Loi sur l’accès aux documents des organismes publics et sur la protection des renseignements personels* (RLRQ), the Ministry had 20 days to fully respond to our request.
* Nov 2: After 20 days had elapsed, we sought to exercise our right under the RLRQ to appeal the Ministry’s failure to provide a response within the allotted time frame before the Commission d’accès à l’information.
* Nov 6: A representative apologized for the delay and assured us that they were working on our request. We held off on submitting our appeal under the RLRQ with the Commission.
* Nov 24: Having not heard anything from the Ministry, we sent a follow-up requesting an updating on the status of our request. That same day, we were informed that “After verification, we are informing you that the Ministry does not hold any documents permitting us to respond to your request” [translated from French].
* Jan 5, 2024: We inquired with the Ministry to confirm details about the appeal process under the RLRQ.
* Jan 8: We were informed that we would need to communicate directly with the Commission d’accès à l’information in order to receive the clarification on the administrative process that we were seeking.
* Jan 17: As per the instructions we had received from the Ministry, we sent a physical letter requesting appeal to the Montreal office of the Commission d’accès à l’information.
* Feb 18: We sent a follow-up email to [cai.communications@cai.gouv.qc.ca](mailto:cai.communications@cai.gouv.qc.ca) inquiring as to the status of our request.
* Feb 19: We were told that due to a large number of requests, there would be a delay in the opening of our file. We were informed that once the file had been opened, we would receive confirmation through the mail.
* Feb 20: We responded to [cai.communications@cai.gouv.qc.ca](mailto:cai.communications@cai.gouv.qc.ca) seeking further clarification as to the review process, inquiring if there were any regulatory timelines that the Commission d’accès a l’information had to operate within. We never received a response to this communication.
* Feb 25: We received confirmation of our request by physical mail. The letter also contained a notice that our request for review, as it had been submitted, was incomplete because we had not submitted a copy of our initial request for information (and proof of the Ministry’s refusal to provide us with further information) alongside it. Given the delays in communications and difficulty of operating through physical mail while the project PI was concurrently in long term-hospitalization, we decided not to pursue further communications with ministerial representatives and to rely solely on the online registry.
* July 2: We again contacted the Ministry with a list of projects for which we had not been able to find sufficient information on the registry.
* July 29: We received a detailed response which informed us that as suspected, some of these projects did not meet the threshold to trigger the EA process (that is, that they did not have a capacity of at least 2000 tonnes of mineral per day). Additionally, other listed projects, being outside of Southern Quebec, had been subject to a separate Northern EA process and another was still undergoing the EA process.
* Aug 8: We asked for EA documentation related to the remaining relevant projects, which had undergone the Northern EA process.
* Sept 10: We were then told that two of these mines were in fact within the Southern Zone and under the threshold for EA, contradicting prior communications. We were given the certificate of authorization and supplementary documentation for one mine, but not the environmental impact statement. We were also told that documentation communication, documentation related to two other mines involved third parties which would have to be consulted, causing additional delays.
* Sept 24: Due to the need to complete the project in a reasonable timeline and sporadic information availability for the final two mines, we informed the registry that we no longer required the third party documentation.

*Conclusion:* In light of unclear EIA process requirements, conflicting information, and the extended timeline of our communications with provincial representatives in Quebec, our research team opted to rely on information that had already been made publicly available on Québec’s online EA registry. The exception to this rule was the one mine (Lac Bachelor) where we received the certificate of authorization for, which was not publicly available otherwise.

## New Brunswick - Environmental Impact Assessment Branch

* Sept 23, 2023: Form letter sent to [EIAEIE@gnb.ca](mailto:EIAEIE@gnb.ca).
* Sept 24: We were directed to fill out and submit a Request for Information form, pursuant to the *Right to Information and Protection of Privacy Act* (RTIPPA).
* Oct 12: We submitted this form and received confirmation of the request.
* Nov 10: A link to the online file sharing platform used by the New Brunswick government was shared with us, enabling us to access the documentation requested.

*Conclusion:* Our communication with the New Brunswick registry was relatively straightforward and the partial information provided (many requested records had been destroyed in accordance with the province’s record retention policy) enabled us to proceed in our study.

## Nova Scotia - Environmental Assessment Branch

* Sept 23, 2023: Form letter sent to [ea@novascotia.ca](mailto:ea@novascotia.ca).
* Oct 27: We sent a follow-up requesting a status update.
* Oct 30: We received a response directing us back to Nova Scotia’s online environmental assessment registry, explaining that we would be able to find documentation for all registered EA projects in the province dating back to 2000 there. For information pertaining to projects prior to 2000, we would need to pursue the *Freedom of Information and Protection of Privacy* (*FOIPOP*) process.
* Nov 17: We submitted the FOIPOP request and paid the $5 fee required by the province to request information about third parties.
* Nov 21: We were asked to clarify the scope of our initial request.We were informed that our request was “incredibly large” and would require a significant amount of time to complete, as well as “large search fees and large processing fees”. In response, we modified our request to include only projects having undergone EA prior to 2000.
* Dec 1: We were informed that the search fees associated with our request had been estimated at $5940.00. As we did not have the funds to cover this fee, we proceeded to further reduce the scope of our request, this time, leaving out the request to access information related to the industrial approval permitting process.
* Jan 10: We were informed that our most recent request would incur a search fee of $1440 (estimated at 48 hours of staff labour).
* Jan 29: We exercised our right under ss. 11(7) of the *FOIPOP Act* to ask that all search and processing fees related to our request be waived, given that they related to a matter of public interest (here, being the environment).
* Feb 20: We were informed that the Department had made the decision not to waive the fees for our request. As we did not have funding to cover fees, we responded that we would not proceed with the request.
* March 1: Our *FOIPOP* request was officially closed.

*Conclusion:* Our communications with the Nova Scotia EA registry did not result in any additional access to relevant documentation. We proceeded on the basis of the limited information that had already been made available through the province’s public registry.

## Prince Edward Island - Environmental Land Management Section

* Feb 15, 2024: We had not been able to find any online information or registry relating to IAs for mines in PEI. We contacted [DeptEECA@gov.pe.ca](mailto:DeptEECA@gov.pe.ca.), seeking clarification on the IA process in the province of Prince Edward Island.
* Feb 16, 2024: We were informed that pit excavations in PEI were sufficiently small that none of them triggered a need for EA review and that rather, they were assessed and permitted under the provincial *Environmental Protection Act* and Excavation Pit Regulations.

*Conclusion:* We did not attempt to access any further documents as projects in PEI were outside of the scope of our review.

## Newfoundland and Labrador - Department of Environment and Climate Change

* Sept 23, 2023: Form letter sent to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).
* Sept 27: We received a response directing us to an online description of the EA process in the province, as well as the provincial online registry
* Jan 18, 2024: After extracting available data from the registry, we replied and clarified we were seeking documentation for projects undertaken prior to 2000 that were not available on the registry.
* Feb 15: We sent a follow up message inquiring about the status of our request.
* Feb 19: We were informed that the approximately 80 projects assessed prior to the year 2000 were not available in digital format. We were told that the Environmental Assessment Division was investigating possibilities for hiring an intern to digitize these files, and also asked if we had funding which could cover these costs.
* Feb 19: As we did not have any funding available, we indicated that we would like to be informed if an intern was hired to digitize the file.

*Conclusion:* Ultimately, we were only able to include projects after the year 2000 that were already available on the public registry in a digital format.

## Yukon - Yukon Socio-Environmental Assessment Board

* Sept 23, 2023: Form letter sent to [yesab@yesab.ca](mailto:yesab@yesab.ca).
* Sept 25: We were responded to by the Executive Director of the Yukon Environmental and Socio-economic Assessment Board who directed us to the online registry and were told that all information was publicly available.

*Conclusion:* As we extracted data from the registry, we found it to be complete, and did not need to request further data from the board directly.

## Northwest Territories – Mackenzie Valley Review Board

* Sept 23, 2023: Form letter sent to [admin@reviewboard.ca](mailto:admin@reviewboard.ca).
* Oct 27: We sent a follow up email inquiring about the status of our request. The lead author also sent an email to a personal contact at the board.
* Oct 27: The contact replied pointing us toward the public registry on September 23rd, 2023. On October 27th, 2023, when no response was received, we sent a follow up email for further clarification about what exactly the registry contains. The contact provided further details to best navigate this resource, and linked several specific documents which, in his estimation, would be of relevance to our research.

*Conclusion*: As a team, we concluded that the guidance provided through these communications, on top of the existing registry, would be sufficient to obtain the data we were looking for.

## Nunavut – Nunavut Impact Review Board

* Sept 23, 2023: Form letter sent to [info@nirb.ca](mailto:info@nirb.ca).
* Sept 27, 2027: We were directed to acquire the information that we were seeking through other departments and organizations (Crown-Indigenous Relations, Northern Affairs Canada, and/or Nunavut Tunngavik Incorporated). A Government of Nunavut contact for any further inquiries was also provided.

*Conclusion:* After reviewing the online registry in detail we determined the documents we needed were available, and did not pursue further communication with the Board.