

Canadian Environmental Assessment Agency

PERFORMANCE REPORT **For the period ending** **March 31, 2005**

The Honourable Stéphane Dion
Minister of the Environment and Minister responsible for
the Canadian Environmental Assessment Agency

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SECTION I

Minister's Message and Executive Summary

Minister's Message

I am pleased to present the Performance Report of the Canadian Environmental Assessment Agency for the period ending March 31, 2005. This report outlines the Agency's key accomplishments for the 2004-2005 fiscal year.

The Agency operates in an environment that is growing in complexity and importance. Last year, the External Advisory Committee on Smart Regulation provided expert advice on the best ways to improve the government's regulatory system to better meet Canada's needs in the 21st century. Environmental assessment figured prominently in the committee's recommendations.

Throughout the year, the Agency provided support and expertise to federal departments and agencies on a variety of comprehensive studies and review panels.

Environmental assessment must be rigorous and thorough, in addition to being timely, efficient and predictable. With this in mind over the coming year, the Agency will continue to work in Canada's interests through delivery of its core programs and services.

But we must always seek ways to bring about improvement. To that effect, in the October 2004 Speech from the Throne, the Government of Canada indicated that it would consolidate the federal environmental assessment process. This initiative has been a major focus for the Agency over the past few months and it will strengthen the accountability and integrity of federal environmental assessment.

This coming improvement of federal environmental assessment will also have positive effects on the cooperation between the provinces and the territories. A better coordination of the environmental assessment process and practices across Canada is the best way to guarantee timely and high quality assessments for Canadians.

The Honourable Stéphane Dion
Minister of the Environment and
Minister responsible for the Canadian Environmental Assessment Agency

Management Representation Statement

I submit, for tabling in Parliament, the 2004-2005 Departmental Performance Report for the Canadian Environmental Assessment Agency.

This report has been prepared based on the reporting principles and other requirements in the *Guide for the Preparation of the 2004-2005 Departmental Performance Reports* and represents, to the best of my knowledge, a comprehensive, balanced and transparent picture of the organization's performance for fiscal year 2004-2005.

Jean-Claude Bouchard
President
August 20, 2005

Executive Summary

The Canadian Environmental Assessment Agency (the Agency) administers the *Canadian Environmental Assessment Act* (the Act), federal legislation designed to encourage the use of environmental assessment nationally as a planning tool to ensure that economic development occurs in a manner that maintains a healthy environment. The Agency employs 145 people at headquarters in Ottawa and in six regional offices across Canada and manages an annual budget of approximately \$19 million.

In 2004-2005, the Agency's federal clients initiated approximately 6,300 screening assessments. The Agency played an important role in more than 25 comprehensive studies and in 11 review panels.

In the October 2004 Speech from the Throne, the government made a commitment to consolidate federal environmental assessment. The Agency developed a detailed proposal with a number of options on how consolidation could be achieved. The objective is to further refine and improve the environmental assessment process while building on the positive elements of the current federal system. This will be a significant focus of the Agency in the coming year.

The Agency provided support to federal negotiators at 71 tables where environmental assessment issues in Aboriginal land claims and self-government agreements were being addressed. The Agency also negotiated or continued implementation of bilateral environmental assessment agreements with provinces and territories, bringing the total number of agreements in place to seven. In addition, the Agency implemented its new role of Federal Environmental Assessment Coordinator in over 150 environmental assessments.

The Agency has taken an active role in reviewing Cabinet submissions for environmental assessment and strategic environmental assessment implications to ensure that the policies, plans, programs and/or projects in which the federal government participates do not have adverse environmental impacts. The Agency also coordinated the federal government response to the Commissioner of the Environment and Sustainable Development's audit of federal departments' implementation of the *Cabinet Directive on the Environmental Assessment of Policies, Plan and Program Proposals*. The Agency delivered approximately 110 training sessions to more than 3,000 participants across Canada. Ninety-five percent of participants who completed evaluations would recommend the Agency's training to others.

SECTION II

Strategic Context

Who We Are

The Agency provides leadership and serves as a centre of expertise in its role as the administrator of the federal environmental assessment process. The Agency has one program objective, which serves as its mission:

To provide Canadians with high-quality environmental assessments that contribute to informed decision making in support of sustainable development.

Headed by the President, who reports directly to the Minister of the Environment¹, the Agency is mandated by the following instruments:

- the *Canadian Environmental Assessment Act* and its accompanying regulations;
- the *Canada-Wide Accord on Environmental Harmonization* and bilateral agreements with provincial governments that establish arrangements for cooperative environmental assessments; and
- international agreements containing environmental assessment provisions to which Canada is a party, principally the United Nations *Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context* (ratified in May 1998).

The Agency also assists the Minister of the Environment in implementing the *Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals* by providing guidance to federal authorities on environmental assessment considerations and requirements in respect to proposed policies, plans and programs.

The President of the Agency has been designated by Order-in-Council as the federal administrator of the environmental and social protection regimes set out in chapters 22 and 23 of the 1975 *James Bay and Northern Quebec Agreement*.

For more information about the Agency, visit: www.ceaa-acee.gc.ca.

¹ The reporting structure to the Minister of the Environment can be found in Figure 1, Annex 3.

Partners in Environmental Assessment

Federal environmental assessment is based on the principle of self assessment. Under subsection 5(1) of the Act, a federal environmental assessment may be required when a federal authority: is the proponent of a project, provides financial assistance to the proponent, makes federal lands available for the project, and/or issues a permit, licence or any other form of approval pursuant to a statutory or regulatory provision referred to in the *Law List Regulations*. The Agency provides these departments and agencies (known as responsible authorities) with training, advice, guidance and support in fulfilling their environmental assessment responsibilities under the Act.

The Agency has a greater role in projects that have the potential to cause significant environmental effects. It manages the public comment period and advises the Minister of the Environment in relation to the comprehensive study review process. It supports the establishment and conduct of independent review panels. It also provides advice and support to decision makers and manages a financial assistance program to encourage public participation in comprehensive studies and review panels.

Involvement of multiple jurisdictions in environmental assessment

Depending on the project, representatives of federal, provincial, territorial and municipal governments, as well as Aboriginal groups, may have legislative environmental assessment requirements. The Agency works cooperatively with other parties to promote consistent approaches and an effective and efficient environmental assessment process that addresses the requirements of each jurisdiction.

Non-governmental organizations, businesses, and citizen and industry groups

Environmental non-governmental organizations, citizen groups and representatives from industry are important consultative partners during the development of policies, programs and regulations aimed at improving the environmental assessment process.

The Agency maintains channels for stakeholder communication through its support of several consultative committees. In 2004-2005, the Agency chaired the committees listed in Table 1.

Table 1: Building Strong Partnerships

Committee	Membership	Purpose
Regulatory Advisory Committee (RAC)	<ul style="list-style-type: none"> • federal and provincial government representatives • Aboriginal, industry and environmental non-governmental organization members 	<ul style="list-style-type: none"> • consult on federal environmental assessment regulatory and policy matters
Senior Management Committee on Environmental Assessment (SMCEA)	<ul style="list-style-type: none"> • senior federal government managers representing various departments and agencies 	<ul style="list-style-type: none"> • share information on current and upcoming environmental assessment issues pertinent to the federal government
Federal-Provincial-Territorial Environmental Assessment Administrators Group (Rotational chair among jurisdictions and the Agency)	<ul style="list-style-type: none"> • senior federal-provincial-territorial environmental assessment representatives 	<ul style="list-style-type: none"> • discuss environmental assessment issues of cross-jurisdictional interest
Regional Environmental Assessment Committees (REAC)	<ul style="list-style-type: none"> • regional environmental assessment representatives from various federal and provincial government departments 	<ul style="list-style-type: none"> • share information and discuss coordinated approaches to environmental assessment among jurisdictions within a geographic region

Planning Context – Factors Influencing and Driving Performance

Projects subject to environmental assessment often raise important issues associated with socio-economic development, environmental protection, Aboriginal interests and federal-provincial-territorial relations. Environmental assessment must continually adapt to emerging trends and new challenges.

Shared Environmental Management Responsibility

Under the Constitution of Canada, responsibility for environmental management is an area of shared jurisdiction among various levels of government. To minimize duplication and delays, the Agency works with its provincial and territorial counterparts to bring about greater cooperation in environmental assessment and to promote the consistent and predictable application of environmental assessment processes across Canada.

Addressing Competing Interests

Large-scale projects subject to environmental assessment frequently involve sensitive issues related to development, environmental protection, Aboriginal interests and federal-provincial-territorial relations. Projects being assessed can often be complex, with competing stakeholder interests. The Agency endeavors to address these interests while maintaining productive relationships and delivering high-quality environmental assessments that meet the expectations of Canadians.

Aboriginal Peoples

Aboriginal peoples have strong interests in environmental assessment issues and they have indicated to the Agency that these interests include:

- participating in environmental assessments where Aboriginal peoples/groups may be affected by development;
- ensuring that their traditional knowledge is considered in the process of environmental assessments;
- developing the capacity of Aboriginal peoples to participate in and conduct environmental assessments on their lands;
- ensuring minimal disruption of traditional lifestyles and the natural environment; and
- developing environmental assessment processes for projects on Aboriginal lands in the context of band council governance, self-government and comprehensive claim negotiations.

Improved Federal Policy Development

The Agency is a strong advocate for the application of strategic environmental assessment as a tool to support improved decision making. Since the implementation of the *Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*, federal departments have increasingly recognized the role of this valuable tool in helping to promote sustainable development. The Agency will continue to develop its advocacy and advisory role, track national and international development in the field, and provide leadership in this evolving field of policy research.

Canadian Competitiveness

In a global economy, countries must compete for foreign investment. Environmental sustainability is emerging as a basis for competitiveness and consumers, producers and investors are responding to this change. The efficiency and effectiveness of an environmental assessment process can contribute to a positive view of the country. A more certain, timely and predictable environmental assessment process will also support Canada's international competitiveness.

Environmental Assessment and Climate Change

The Government of Canada is committed to the Kyoto Protocol and to reaching its greenhouse gas emissions target of six percent below 1990 levels by 2012. At the same time, increased demand for energy is likely to result in more energy-related development projects. Environmental assessment is a useful tool for ensuring that the government's climate change policies are considered in project development and that projects take into consideration the potential effects of changes in the climate.

Smart Regulation

A knowledgeable society has to be smart about the regulations that guide activities and protect its quality of life.

The federal government is renewing its national regulatory system to enhance performance and spur innovation. Part of this renewal will include improvements to the federal environmental approval process to make it more transparent and effective. In the October 2004 Speech from the Throne, the government reinforced this initiative by committing to the consolidation of federal environmental assessment. This consolidation exercise will be the Agency's focus in the upcoming fiscal year.

SECTION III

Agency Performance

Strategic Planning Framework

This Departmental Performance Report presents the results of the Agency's commitments in its Report on Plans and Priorities of 2004-2005, which was prepared according to our Performance Reporting and Accountability Structure (PRAS). The PRAS has since been replaced with a Program Activity Architecture (PAA) that will now be the framework for Agency planning and reporting.

The new PAA identifies the Agency's strategic outcome as: "Environmental assessment is an integral part of program and policy decision making." The Agency will achieve this outcome through one program activity – effective and efficient environmental assessment – and three sub-activities: coordination and cooperation, guidance and operations, and continuous improvement.

Future plans will be developed based on the Agency's Program Activity Architecture.

Strategic Outcomes

This Departmental Performance Report is organized by strategic outcomes – the long-term, enduring benefits to Canadians derived from the Agency's mission. The planning framework presented in this report is consistent with that presented in the *Report on Plans and Priorities 2004-2005*.

Agency's Strategic Outcomes

- Effective and efficient environmental assessment
- Coordinated and harmonized environmental assessments
- Consistent and predictable application of environmental assessment in federal decision making

Strategic Outcome 1: Effective and Efficient Environmental Assessment

The Agency is committed to providing Canadians with environmental assessments that are effective, efficient, involve public participation and support the principles of sustainable development.

Context

The Agency plays an important role in providing advice, guidance, training and recommendations to federal departments and agencies. This helps to ensure that environmental assessment decisions: comply with the Act, reflect effective and efficient environmental assessment practices, consider public values, and support the principles of sustainable development. The Agency plays a greater role in the assessment of projects with the potential to cause significant environmental effects by managing elements of the assessment process, providing opportunities for public participation, as well as providing advice and support to decision makers.

Effective and efficient environmental assessment involves incorporating environmental factors early in a project's planning stage so that adverse environmental effects and financial costs are reduced or avoided. Environmental assessment must be broad enough to consider all potential environmental effects arising from a project and must provide appropriate opportunities during the process for Canadians to express their views and be involved in decisions that affect them.

Table 2: Logic Model – Strategic Outcome 1

Strategic Outcome:
<p>Effective and Efficient Environmental Assessment</p> <p>The Agency is committed to providing Canadians with environmental assessments that are effective, efficient, involve public participation, and support the principles of sustainable development.</p> <p>Expenditures: \$11,122,329 FTEs: 82</p>
Key Partners:
<ul style="list-style-type: none"> • Other federal government departments and agencies, and provincial, territorial and local governments • Regulatory Advisory Committee • Non-governmental agencies • Aboriginal groups • Private industry • Interest groups • Canadians
Key Results:
<ul style="list-style-type: none"> • The Agency ensured the establishment and/or managed 11 review panel processes with a view to ensuring high-quality environmental assessment. • The Agency provided \$457,000 to numerous participants in five major projects. The funds are used by parties to improve their participation in a project.

Established, Maintained and Improved Processes and Developed Tools and Mechanisms that Support Environmental Assessment

Process improvements will contribute to better environmental assessments and therefore address the needs of Canadians in a more effective and consistent manner. Better tools and mechanisms will increase the consistency and predictability of environmental assessments. This can also lead to the consistent application of mitigation measures to deal with potentially adverse environmental effects of projects.

Mechanisms that are well documented and easily accessed lead to a broader understanding of issues such as impacts of trade on the environment and involvement of Aboriginal peoples in the environmental assessment process. The Agency also uses research and development to improve the practice of environmental assessment.

2004-2005 Results

- Managed 11 review panels and provided advice and guidance to responsible authorities, project proponents and the public in the comprehensive study process. During the planning period, 12 comprehensive studies were completed and 27 are at various stages of development. See Table 3 and Table 4 for summaries of major projects.
- Developed effective guidance materials in partnership with stakeholders in order to address clients' needs and improve knowledge and understanding of the application of the Act. For a listing of guidance documents, visit: www.ceaa.gc.ca/012/newguidance_e.htm.
- Provided support to over 20 researchers who have been conducting research in the area of environmental assessment. In addition, six new research reports were completed during the review period and posted on the Agency's Web site. For additional information about the Research and Development Program, or to view the completed research reports, visit: www.ceaa.gc.ca/015/index_e.htm.
- Supported the development of class screenings by providing advice, technical assistance and funding to federal departments. The Agency also conducted a workshop with federal departments that had past experience with the class screening process, and federal departments that received funding through the Class Screening Funding Program 2004-2005. The Agency declared five model class screenings and two replacement class screenings and a further 20 reports are in various stages of development. Use of these model and replacement class screening reports will enable responsible authorities to use resources more efficiently while ensuring that environmental considerations are taken into account during project planning and implementation. The Agency has also renewed the Class Screening Funding Program for 2005-2006.
- Coordinated the federal government response to the Commissioner of the Environment and Sustainable Development's audit of federal implementation of the *Cabinet Directive on the Environmental Assessment of Policies, Plan and Program Proposals*. The Agency continues to work closely with the federal community through the strategic environmental assessment subcommittee of the Senior Management Committee on Environmental Assessment to ensure that the commitments made in the government response are met.

Consolidation of Environmental Assessment

The federal government is considering options for improving the federal environmental assessment process. In the October 2004 Speech from the Throne, the government made a commitment to get the House in order by consolidating federal environmental assessments. The government's March 2005 *Smart Regulation: Report on Actions and Plans* also identified consolidation of environmental assessment as a priority.

The current federal environmental assessment system is based on the principle of self-assessment. Consequently, departments and agencies have their own discrete environmental assessment responsibilities to discharge, though often in relation to the same project. The resulting decentralized system has many advantages, but it also presents challenges. Since October, the Agency has been developing options for consolidating federal environmental assessment. From these options, a detailed proposal for consolidation will emerge that builds on the positive elements of the current federal system while introducing a more prominent role for the Agency for major projects. This approach would address many of the concerns identified by stakeholders.

Strategic Environmental Assessment

Strategic environmental assessment is the systematic and comprehensive process of evaluating the environmental effects of a policy, plan or program and its alternatives.

According to the federal government's Cabinet Directive, an assessment of a policy, plan or program proposal must be conducted when two conditions are met:

- the proposal is submitted to an individual minister or Cabinet for approval; and
- the implementation of the proposal may result in important environmental effects, either positive or negative.

When circumstances warrant, departments and agencies are also encouraged to conduct strategic environmental assessments for other policy, plan and program proposals, particularly when strong public concern is apparent. In January 2004, the Directive was updated to address two issues. The amendments provide clearer guidance on the assessment of both positive and negative environmental impacts, and require federal departments and agencies to prepare public statements of environmental effects when detailed assessments have been conducted. These changes support more effective and transparent analysis.

For additional information about Strategic Environmental Assessment, visit:
www.ceaa.gc.ca/016/index_e.htm.

Environmental Assessment Review Panels

Distinguished by extensive public participation, review panels, and joint review panels with other jurisdictions, are the most visible and public type of environmental assessment. They are independent from government, with members appointed by the Minister of the Environment.

The review panel conducts its assessment in an open and public manner, with individuals and groups presenting information and views through public comment periods and public hearings. Public participation is facilitated by the Participant Funding Program, which provides financial assistance to eligible individuals and public organizations with legitimate interests in the project.

At the completion of the review process, the review panel's report, including conclusions and recommendations, is submitted to the Minister of the Environment. The recommendations are advisory, and the federal Cabinet considers and responds publicly to all recommendations.

The Agency's primary roles in a review panel process are to: provide advice and coordination to federal expert authorities and responsible authorities, maintain the public registry, manage the review process and provide technical and administrative support to the review panel, administer the Participant Funding Program, and design and implement a public information program with the review panel.

Table 3: Summary of Review Panel Activity

<i>Review Panel of the Eastmain-1-A and Rupert Diversion Project in Quebec</i>
<ul style="list-style-type: none"> • Hydro-Québec and its subsidiary, the <i>Société d'énergie de la Baie-James</i>, propose to build the \$2 billion Eastmain-1-A generating station (770 MW) and to divert the Rupert River in the James Bay territory. • The proposal requires the application of the Act and the provincial environmental assessment process of chapter 22 of the <i>James Bay and Northern Quebec Agreement</i>. In April 2003, the Agency, the <i>Ministère de l'environnement du Québec</i> and the Cree Regional Authority signed an agreement for the coordination of the environmental assessment processes applicable to the project. The goal is to produce a single report at the completion of the review. • The review of the project is at the conformity stage of the impact study. The review bodies have targeted July 30 for the submission of any request for additional information.
<i>Review Panel of the Development of the Vanadium Mine in Quebec</i>
<ul style="list-style-type: none"> • McKenzie Bay International Ltd. (Lac Doré Mining Inc.) proposes the development of a vanadium mine at Lac Doré, near Chibougamau. The proposal requires the application of the Act and the provincial environmental assessment process of chapter 22 of the <i>James Bay and Northern Quebec Agreement</i> (JBNQA). • In February 2004, the Minister of Fisheries and Oceans recommended the referral of the project to a review panel. • On May 21, 2004, the Cree registered a motion in the Quebec Superior Court seeking a declaration that the JBNQA federal process is applicable to the project and that the <i>Canadian Environmental Assessment Act</i> (the Act) is not. The time of the hearing of the motion has yet to be determined.

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Joint Review Panel of the Kénogami Watershed Flood Control Project in Quebec

- An agreement was signed by the governments of Canada and Quebec to establish a joint review panel for the Kénogami Watershed Flood Control project.
- Hearings were held August 5 to 7, 2003. The joint panel submitted its report to the federal and provincial environment ministers on October 24, 2003.
- The Quebec government (the proponent) has since reconsidered various portions of the project. As a result, the federal government has postponed finalizing its response until the province establishes if the project, or certain portions of the project, would be maintained.

Joint Review Panel of the Whites Point Quarry Project in Nova Scotia

- Global Quarry Products proposes to construct and operate a basalt quarry, processing facility and marine terminal located in Digby County, Nova Scotia.
- In June 2003, the Minister of Fisheries and Oceans recommended the referral of the project to a review panel.
- On November 3, 2004, the Minister of the Environment and the provincial Minister of Environment and Labour signed an agreement establishing a joint review panel for the project and appointed the members of the panel.
- On November 10, 2004, the Agency and Nova Scotia Environment and Labour released for public comment the draft Environmental Impact Statement (EIS) Guidelines. After reviewing the public submissions, the joint review panel finalized the EIS Guidelines on March 31, 2005. The Panel is now waiting for the proponent to submit the EIS.

Joint Review Panel of the Mackenzie Gas Project in the Northwest Territories

- The Agency has been actively involved in the development of environmental review processes to minimize duplication and meet legislative requirements for major natural gas development in the Northwest Territories (N.W.T.).
- The proposed Mackenzie Gas Project consists of the development of three natural gas fields on the Mackenzie Delta, N.W.T., with associated gathering systems and processing facilities. Pipelines would carry the gas 1,400 kilometres south through the Mackenzie Valley to market. The proponent consortium consists of Shell Canada Limited, ConocoPhillips Canada (North) Limited, ExxonMobil, Imperial Oil Resources Ventures Limited and the Aboriginal Pipeline Group.
- The project is subject to three environmental assessment regimes and three additional regulatory public hearing processes. In preparation for the filing of an application for a major northern gas pipeline project, the June 2002 Cooperation Plan was developed.
- On August 21, 2003, the Minister of the Environment referred the project to a review panel. On August 18, 2004, the Minister of the Environment, the Chair of the Mackenzie Valley Environmental Impacts Review Board and the Chair of the Inuvialuit Game Council announced the establishment of the joint review panel for the Mackenzie Gas Project and released the Environmental Impact Statement terms of reference.
- In February 2005, the Executive Committee (the Chairs of the joint review panel, the National Energy Board, the N.W.T. Water Board and the Mackenzie Valley Land and Water Board) announced that the coordinated public hearings would not start until late summer 2005.

Continued on next page.

Joint Review Panel of the Kemess North Gold-Copper Mine Project in British Columbia

- Northgate Minerals Corporation proposes to develop the Kemess North copper and gold deposit, located six kilometres north of its existing Kemess South Mine, and 250 kilometres northeast of Smithers in north central British Columbia.
- On November 19, 2004, the Minister of the Environment referred the Kemess North project to a review panel, following a request by the Minister of Fisheries and Oceans.
- On May 19, 2005, the Minister of the Environment and the B.C. Minister of Sustainable Resource Management signed an agreement to establish a joint review panel and appointed a three-member panel. Panel members were selected by consensus by following a process that involved federal, provincial and First Nations representatives.
- Draft Guidelines for the preparation of the proponent's Environmental Impact Statement were issued July 2005.

Review Panel of the Rabaska Liquefied Natural Gas Project in Quebec

- The Rabaska liquefied natural gas (LNG) facility is being proposed by a group of companies led by Gaz Metropolitan, Enbridge Gas and Gaz de France. The proposal is to build the LNG terminal and related facilities at Beaumont, Quebec, on the St. Lawrence River near Québec City. The province of Quebec will also exercise environmental assessment decision-making authority. As a result, the *Canada-Quebec Agreement on Environmental Assessment Cooperation* will apply.
- On January 20, 2005, the Agency issued a news release announcing the decision of the Minister of the Environment to refer the Rabaska project to a review panel.
- The proponents plan to submit the Environmental Impact Statement in summer 2005. In accordance with this timeframe, the review panel could be appointed in winter 2005 or when both governments are satisfied that the impact study is consistent with the Guideline requirements.

Review Panel of the La Romaine Hydroelectric Complex Project in Quebec

- The La Romaine project is a 1,500 MW hydro project on the Romaine River in the Lower North Shore region of Quebec. The project is subject to the Quebec environmental assessment process and will require authorizations from Fisheries and Oceans Canada and Transport Canada. It is subject to the *Canada-Quebec Agreement on Environmental Assessment Cooperation*.
- On February 10, 2005, the Agency announced the Minister's decision to refer the project to a review panel. Public consultation was held from April 29 to May 30, 2005, on draft Guidelines for the Environmental Impact Statement.
- It is not expected that a review panel would be appointed until 2007. The panel will be appointed only once both governments are satisfied that the information provided by the proponent meets the requirements set out in the Guidelines.

Review Panel of the Brooks Power Generation Project in Alberta

- In March 2003, the Minister of the Environment referred the Brooks Power Generation project to a review panel under section 28 of the Act.
- In August 2004, Fisheries and Oceans Canada confirmed that Luscar Limited had withdrawn this project. Fisheries and Oceans Canada recommended that the environmental assessment process be stopped as it would no longer exercise any federal power or perform any federal duty or function identified in section 5 of the Act.
- On December 10, 2004, the Minister of the Environment determined that a federal environmental assessment of the proposed Brooks Power project was no longer necessary and stopped the review panel process.

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Review Panel of the Bennett Environmental Thermal Oxidizer Project in New Brunswick

- Bennett Environmental Inc. proposes to build a thermal oxidizer capable of treating 100,000-tonne-per-year of oil- and creosote-contaminated soils at Belledune, New Brunswick.
- Representatives of groups opposing the Bennett project submitted a petition, in the fall of 2003, requesting that the project be referred to a review panel pursuant to the transboundary provisions of the *Canadian Environmental Assessment Act*.
- On June 14, 2004, the Minister of the Environment announced the referral of the project to a review panel in order to examine the project's potential transboundary environmental effects.
- The following month, Bennett filed an application for judicial review before the Federal Court, challenging the Minister's decision to refer the project to a review panel. In August, the Federal Court quashed the referral to a review panel, thereby precluding the Minister from continuing with the review panel process.
- On September 28, 2004, the Minister announced the federal government's appeal of the ruling of the Federal Court.
- On March 31, 2005, the review panel was on hold pending the hearing of the matter before the Federal Court of Appeal and its subsequent decision.

Joint Review Panel of the Highwood Storage and Diversion Project in Alberta

- Alberta Transportation proposes the construction of a water management project to convey and store water diverted from the Highwood River in the lower Little Bow River basin in south-western Alberta.
- In 1997, Fisheries and Oceans Canada referred the project to the Minister of Environment for a review by a panel. At the completion of the joint review panel in June 1998, the panel concluded that it required further evidence to reach a final conclusion on one of the project components. Another joint review panel was established in March 2000 to address the outstanding issues.
- In March 2005, the joint review panel was waiting for Alberta Transportation to develop its project and submit an application to the Alberta Natural Resources Conservation Board. When that information is received, the panel will need to be re-activated.

For additional information about review panels, visit:
www.ceaa.gc.ca/010/basics_e.htm#26.

Comprehensive Studies

Certain projects, by their very nature, may have the potential to cause significant adverse environmental effects. These types of projects have been identified and listed in the *Comprehensive Study List Regulations*.

As a result of revisions to the Act, proclaimed through Bill C-9 on October 30, 2003, the responsible authority must consult the public on its proposed approach and recommend to the Minister of the Environment whether the project continue by means of a comprehensive study environmental assessment or be referred to a mediator or a review panel. At the end of the comprehensive study process, the Minister is required to issue a decision statement as to whether the project is likely to cause significant adverse environmental effects.

The Agency's role in the comprehensive study process is to provide advice to responsible authorities, project proponents and the public; ensure that the comprehensive study report complies with the requirements of the Act; manage the public comment period; and provide advice to the Minister of the Environment in support of the Minister's track decision on the environmental assessment and the determination of potential adverse environmental effects. Public participation is facilitated by the Participant Funding Program, which provides financial assistance to eligible individuals and public organizations with legitimate interests in the project.

The Minister concluded that the comprehensive studies described in Table 4 were not likely to cause significant adverse environmental effects and referred them back to the responsible authority.

Table 4: Comprehensive Studies Completed During 2004-2005

Comprehensive Study	Project Proponent	Responsible Authorities	Project Description
Trans Labrador Highway Project (Phase III)	Newfoundland and Labrador Department of Transportation and Works	Fisheries and Oceans Canada	Proposal to construct, over a six-year period, and maintain a two-lane gravel surface highway from Cartwright Junction (87 km south of Cartwright) to Happy Valley-Goose Bay.
New Route 2 Trans-Canada Highway (Perth-Andover to Woodstock)	New Brunswick Department of Transportation	Transport Canada, Infrastructure Canada, and Fisheries and Oceans Canada	Proposal to construct a new section of divided highway starting from south of the Trans-Canada Highway/Route 190 Interchange in the Village of Perth-Andover, past River de Chute, Florenceville, Hartland, and terminating in the vicinity of the intersection of the Trans-Canada Highway/Route 550 (Connell Road) in the town of Woodstock.

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Comprehensive Study	Project Proponent	Responsible Authorities	Project Description
Liquefied Natural Gas Marine Terminal and Multi-purpose Pier	Irving Oil Limited	Fisheries and Oceans Canada, Environment Canada, and Transport Canada	Proposal to construct and operate a liquefied natural gas receiving, storage and processing facility. The proposed facility would be located at an existing deepwater oil terminal (Irving Canaport) near Saint John, New Brunswick.
Beaufort Sea (Devon) Gas Exploration	Devon Canada Corporation	National Energy Board, Fisheries and Oceans Canada, and Indian and Northern Affairs Canada	Offshore winter hydrocarbon exploratory drilling program from 2005-2009 to evaluate potential natural gas reservoirs in the southern Beaufort Sea, north of the Mackenzie River Delta.
Péribonka Hydroelectric Facility	Hydro-Québec	Fisheries and Oceans Canada and Transport Canada	450 MW hydroelectric facility on the Péribonka River, immediately north of its confluence with the Manouane River, north of Lake Saint-Jean. The proposed project includes an 80 m high-dam and two main embankments, a 33 km reservoir, a flood spillway and a 2000 m ³ /s temporary diversion gallery.
BEPCo Exploration Drilling Program	BEPCo Canada Company	Canada-Nova Scotia Offshore Petroleum Board	Exploration and appraisal drilling program from 2005-2009 using a mobile drilling unit to confirm the presence and type of hydrocarbons offshore of Nova Scotia on the Scotian Slope, within the exploration licence 2407 issued by the Canada-Nova Scotia Offshore Petroleum Board.
Cluff Lake Uranium Mine Decommissioning	COGEMA Resources Inc.	Canadian Nuclear Safety Commission	Proposal to decommission the Cluff Lake Uranium Mining facility in northwestern Saskatchewan, 75 km south of Lake Athabasca and 15 km east of the provincial border with Alberta.

For additional information about comprehensive studies, visit:
www.ceaa.gc.ca/010/basics_e.htm#20.

Provided Opportunities for Public Participation in the Environmental Assessment Process

Opportunities for more meaningful public participation will lead to higher quality environmental assessments. Improvements to the public registry system will facilitate more meaningful public participation through the availability of timely information. Facilitating public participation will ensure that the environmental assessment process addresses the needs of Canadians.

2004-2005 Results

- Administered the Canadian Environmental Assessment Registry Internet site and provided training and guidance to users to assist them in fulfilling their legal obligations in providing quality and timely information to the public. Responsible authorities and Port Authorities are now required to post specific records on the Registry for environmental assessments conducted under the Act. This will help ensure that all interested parties, including the general public, are aware of an assessment from the outset. With over 9,000 environmental assessments registered on the site since October 2003, the Agency is in the process of developing a tool whereby interested parties can subscribe to receive e-mail notification regarding environmental assessment developments. A communications strategy to promote the Registry was developed to facilitate greater public participation and awareness.
- Initiated the implementation of some of the recommendations provided in two usability studies that evaluated the user-friendliness of the Registry for the public. The studies show a high level of satisfaction with the system and have also measured increased performance of the system in meeting citizen expectations.
- Held a public consultation on the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screening-level Environmental Assessments* and received comments from eight stakeholders/stakeholder groups. The Guideline has been revised to reflect these comments and has since undergone two legal reviews and a final review by two stakeholder advisory committees. The final document is ready to go forward for Ministerial approval.

Promoted Continuous Learning in the Environmental Assessment Process

Continuous learning involves regularly reviewing activities and accomplishments, assessing successes and modifying processes to improve outcomes. Tackling new environmental assessment practices, such as incorporating climate change considerations, and developing resource material on strategic environmental assessment and coordinated training approaches will improve the overall environmental assessment process within Canada.

2004-2005 Results

- Put in full operation the Quality Assurance Program. The Agency established a database utilizing information from the Registry Internet site to facilitate analysis of data from large numbers of assessments. The database proved to be a useful tool for analyses related to consolidation of federal environmental assessment. Four priority work areas have been identified: (1) Focus of environmental assessment resources on appropriate projects; (2) effectiveness and efficiency of federal coordination; (3) quality of information on the Registry; and (4) participation of the public in screenings. Work on the first two of the priority areas has been initiated.
- Put in operation the Follow-up Program. The status of Follow-up Programs referred to in the Registry (for projects assessed since October 30, 2003) has been actively and systematically tracked. Limited data were available because many projects with follow-up programs had not yet been implemented.

Quality Assurance Program

The renewed Act sets out a legislative duty for the Agency to “establish and lead a quality assurance program for assessments conducted under the Act.” This duty is accompanied by powers to request information on environmental assessments conducted by federal authorities and by other entities (e.g., Canada Ports Authorities) regulated under the Act, now or in the future. Those federal authorities and regulated entities are, in turn, required by the renewed Act to provide any such requested information.

Strategic Outcome 2: Coordinated and Harmonized Environmental Assessments

The Agency is committed to providing Canadians with environmental assessment approaches that are coordinated across government and delivered cooperatively with other jurisdictions.

Context

All federal, provincial and territorial jurisdictions in Canada administer some form of environmental assessment regime. The application of multiple regimes to a single project requires cooperation to avoid duplication, increase certainty and reduce costs, and avoid potential delays.

The Agency promotes consistent approaches to environmental assessments across Canada and with its international partners. The Agency works with provincial, territorial and local partners to develop cooperative approaches wherever possible. It also fosters ongoing relations with Aboriginal communities. The emerging environmental assessment processes under self-government and land claims agreements play an increasing role in the evolution of sustainable development practices in Canada.

Table 5: Logic Model – Strategic Outcome 2

Strategic Outcome:
<p>Coordinated and Harmonized Environmental Assessments</p> <p>The Agency is committed to providing Canadians with environmental assessment approaches that are coordinated across government and undertaken cooperatively with other jurisdictions.</p> <p>Expenditures: \$5,097,117 FTEs: 38</p>
Key Partners:
<ul style="list-style-type: none"> • Other government departments and provincial, territorial and local governments • National and regional Aboriginal organizations • Regulatory Advisory Committee • Non-governmental agencies • Governments of foreign jurisdictions • Interest groups • Canadians
Key Results:
<ul style="list-style-type: none"> • The Agency provided support to federal negotiators at 71 tables where environmental assessment issues in Aboriginal land claims and self-government agreements were being addressed. • The Agency negotiated or continued implementation of six bilateral environmental assessment cooperation agreements with provinces and territories. • The Agency implemented the role of Federal Environmental Assessment Coordinator in over 150 environmental assessments.

Improved Coordination within the Federal Environmental Assessment Process

Clear and coordinated environmental assessment processes across jurisdictions maximize predictability, increase efficiency, minimize conflicts and contribute to a better overall assessment process. The Agency has undertaken several activities toward this end and has achieved the following results:

2004-2005 Results

- Implemented the role of Federal Environmental Assessment Coordinator (FEAC) in over 150 environmental assessments.
- Developed the evaluation framework for the Agency as a FEAC, which will be implemented in fiscal year 2005-2006. The Framework will provide the Agency with data to determine if the FEAC role is improving the coordination of environmental assessments.
- Acted as an independent facilitator to assist in the resolution of disputes regarding environmental assessment matters.

Established Cooperative Environmental Assessment Processes Across Jurisdictions

Coordinated and cooperative environmental assessment provides a clear and understandable process that facilitates public participation and minimizes conflicts. Cooperation also contributes to efficiency and improved overall effectiveness by ensuring that environmental effects of proposed projects are jointly considered before governments make decisions. Coordination with international jurisdictions ensures that the Canadian perspective is taken into account to protect the interests of citizens and industry.

2004-2005 Results

- Handled eight transboundary petition requests, of which the following four were resolved in the reporting period: Greenwich, Prince Edward Island; Belledune, New Brunswick; road 770 and the network of secondary and tertiary roads in Ontario; and Pukaskwa, Ontario.
- Provided support to federal negotiators in addressing environmental assessment issues in Aboriginal land claims and self-government agreements. The Agency continued to provide support to federal negotiators at 71 tables where environmental assessment issues in Aboriginal land claims and self-government agreements were being addressed. These negotiations, which are underway across Canada, are at all phases of development ranging from initial framework agreements, agreements-in-principle and final agreements to implementation. These include the Labrador Inuit Agreement, Meadow Lake Tribal Council, Sioux Valley, Manitoba Framework Agreement, Akwesasne,

Nishnawbe-Aski Nation, Union of Ontario Indians, Innu of Labrador, Miapukek, Beaufort Delta (Inuivialuit Gwich'in), Deline, and Northwest Territory Metis. In British Columbia, specifically, the Agency provided support at 18 tripartite negotiation tables in the B.C. treaty process. Five of these negotiations culminated in Agreements-in-Principle (AIP) with the Tsawwassen, Snuneymuxw, Lheidli T'enneh, Sliammon and Maa-nulth First Nations of B.C. Four of these tables are now actively engaged in Final Agreement Negotiations.

- Participated in tripartite negotiations with three other B.C. First Nations: Yale, Yekooche and In-shuck-ch, all of whom are anticipated to reach AIPs in 2005-2006.
- Involved in Quebec negotiations with the Atikamekw, Mamuitun, Nutashkuan Mamu Pakatatau Mamit, and Nunavik (includes self-government, implementation of sections 22 and 23 of the *James Bay and Northern Quebec Agreement*, and "Paix des Braves" negotiations).
- Provided environmental assessment policy advice to Indian and Northern Affairs Canada relating to the development of sector-type agreements such as the *First Nations Oil and Gas Management Act*, the *First Nations Commercial and Industrial Development Act*, the *First Nations Land Management Act* and implementation of the *James Bay and Northern Quebec Agreement*.
- Represented Canada at the *Third Meeting of the Parties to the Convention on Environmental Impact Assessment* held in Cavtat, Croatia, in June 2004. The Agency participated in working group meetings leading up to the Meeting of the Parties. Work focused on expanding the list of projects for which a notification is required when a project is likely to cause significant transboundary effects.
- Entered into a cooperative partnership with the Government of Costa Rica and the Government of Quebec to assist Costa Rica in building institutional capacity for environmental assessment. This partnership fulfills Canada's commitments under the *Canada-Costa Rica Agreement on Environmental Cooperation*.
- Participated in a workshop in Santiago, Chile under its commitment to the *Canada-Chile Agreement on Environmental Cooperation*. This workshop, entitled "Public Participation in the Environmental Impact Assessment System: Comparative Analysis" was attended by over 50 Chilean participants.
- Finalized the *Canada-Ontario* and *Canada-Québec Agreement on Environmental Assessment Cooperation*. The Canada-British Columbia, Canada-Yukon, Canada-Alberta, Canada-Saskatchewan and Canada-Manitoba Agreements continue to be implemented, leading to coordinated environmental assessments of projects subject to both federal and provincial/territorial environmental assessment processes. The Agency is working towards finalizing the Canada-Newfoundland and Labrador Agreement, and has commenced its scheduled review of the Canada-Saskatchewan and Canada-Manitoba Agreements.

The James Bay and Northern Quebec Agreement

The *James Bay and Northern Quebec Agreement* (JBNQA) is the first comprehensive land claim treaty between Canada and Aboriginal people. Signed in 1975, the Agreement includes self-governance components and lays the foundations for a relationship between the Cree, the Inuit and the Government of Canada. The President of the Agency has been designated by Order-in-Council as the federal administrator of the environmental and social protection regimes set out in chapters 22 and 23 of the JBNQA.

Strengthened Relationships with Partners and Stakeholders

Building stronger relationships enables the Agency to conduct its business with stakeholders in a more effective manner, supporting the development and advancement of sound environmental assessment practices across the country. This helps to improve the certainty, predictability and timeliness of environmental assessments, thereby supporting the government's focus on developing a strong economy in partnership with healthy communities.

The Agency's regional offices are increasingly recognized by various audiences as a source of informed, relevant advice and guidance on the Act and the federal environmental assessment process. The regional offices provided a total of 110 learning sessions (core courses, learning events and workshops) to a total of 3,091 individuals.

2004-2005 Results

- Held two Regulatory Advisory Committee (RAC) meetings and six Senior Management Committee on Environmental Assessment (SMCEA) meetings. The Agency provided Secretariat services to both RAC and SMCEA, and updated both committees regularly on Agency activities. The groups discussed and provided advice to the Agency on issues such as offshore oil and gas regulatory development, public participation in screenings, the Quality Assurance Program, cumulative effects and the development and amendment of regulations.
- Held 14 Regional Environmental Assessment Committee meetings. The meetings provide an opportunity to various federal and provincial government departments to share information and discuss coordinated approaches to environmental assessment among jurisdictions within a geographic region.
- Developed, with the Métis National Council and the Assembly of First Nations, a draft Terms of Reference for the Aboriginal Advisory Committee, which has been submitted to the executives of the organizations involved for review.
- Facilitated several discussion groups, workshops and meetings in order to resolve disputes relating to the environmental assessment process. For example, with respect to the Red River Floodway project, the Agency intervened in situations where conflict arose between participants and the environmental assessment team in an attempt to seek resolution of the issues.

Strategic Outcome 3: Consistent and Predictable Application of Environmental Assessment in Federal Decision Making

The Agency is committed to providing Canadians with consistent and predictable application of environmental considerations in federal decision making.

Context

The Agency takes a leadership role in assisting federal departments and agencies to comply with the Act. Although the Act does not contain enforcement provisions, a priority of the Agency is to work with other government departments to promote its consistent and predictable application. The Agency does so by working on expanding the coverage of the Act so that more activities with potential significant environmental effects involving the federal government are assessed. It also encourages compliance by ensuring that those responsible for applying the Act have the appropriate training and tools at their disposal to adequately fulfil their responsibilities. An additional priority is addressing areas where discrepancies within the federal environmental assessment process may exist. The Agency also reviews Cabinet submissions for compliance with the *Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals* and provides advice and guidance to departments.

Table 6: Logic Model – Strategic Outcome 3

Strategic Outcome:
<p>Consistent and Predictable Application of Environmental Considerations in Federal Decision Making</p> <p>The Agency is committed to providing Canadians with consistent and predictable application of environmental considerations in federal decision making.</p> <p>Expenditures: \$2,053,139 FTEs: 15</p>
Key Partners:
<ul style="list-style-type: none"> • Federal, provincial, territorial and local governments • National and regional Aboriginal organizations • Non-governmental agencies • Crown corporations and other federal entities • Interest groups • Canadians
Key Results:
<ul style="list-style-type: none"> • The Agency delivered approximately 110 training sessions to more than 3,000 participants in a wide range of stakeholder groups across Canada and developed seven new guidance documents to assist in the application of the Act. • The Agency provided its second training session on Strategic Environmental Assessment in December 2004.

Enhanced Monitoring and Promoted Compliance

Responsibility for compliance is shared under the federal environmental assessment process. Responsible authorities assess the environmental consequences of their actions and take these consequences into account in their decisions. The Agency works to ensure the consistency and quality of environmental assessments involving the federal government.

In addition to the plans detailed below, many other plans listed under other priorities, such as the Quality Assurance Program, the Agency's Registry Internet site, as well as the training and advice provided to stakeholders, play a key role in promoting compliance and enhancing monitoring.

2004-2005 Results

- Revised and updated Training and Guidance course materials for the Agency's two key courses (*Orientation to the Act* and *Screenings under CEAA*) in order to improve quality, as well as incorporate the new amendments to the Act.
- Continued to implement the strategic plan for training and guidance and identified new priority projects in consultation with other federal departments. Through a client survey and a federal working group, the Training and Guidance team evaluated the effectiveness of the training and guidance initiatives. Responses indicated an overall high satisfaction with the Agency's recent training and guidance materials.
- Launched an extensive consultative process in June 2003 to analyze the activities of Crown corporations, their concerns and the implications for coming under the Act. This achieved a consensus recommendation that 37 of 41 parent Crown corporations come directly under the Act without the requirement for regulation development. The Agency completed a public consultation on the progress of this initiative and developed a regulatory framework document explaining the rationale of the proposed regulation for two Crown corporations in the provision of commercial loans. The Agency continued consultations with two remaining Crown corporations.

Crown Corporations and Environmental Assessment

By June 2006, the renewed Act will require 41 federal parent Crown corporations to conduct environmental assessments of projects either by direct compliance with the Act or via a modified environmental assessment process set in regulations.

Bringing the Crown corporations under the Act, while allowing for their varying circumstances, will result in greater equity and ensure that projects undertaken or approved by Crown corporations receive environmental scrutiny.

Provided Quality Advice

To deliver on its mandate, the Agency must be highly regarded within the environmental assessment community. Providing quality advice to stakeholders will increase the likelihood that appropriate and effective practices are employed during environmental assessments and that the public's issues are considered during the decision-making process.

2004-2005 Results

- Delivered training across the country, providing 38 sessions of core courses to 685 participants representing governments, non-government organizations, the public, industry and consultants. Satisfaction with the training was very high, with 96 percent of course participants stating that they would recommend the course to others.
- Provided informal training and presentations to clients through 110 learning events to 3,091 participants.

Maintained a High Level of Internal Expertise

Staff expertise and competencies improve the effectiveness and efficiency of environmental assessments. Recognized expertise and competencies promote the credibility of the Agency within the environmental assessment community.

2004-2005 Results

- Delivered three sessions of the course *Interest-based Negotiations in Environmental Assessments* to 46 participants across Canada, including federal, provincial and territorial governments.
- Contributed to the annual *Secrétariat international francophone pour l'évaluation environnementale* conference held in Ouagadougou, Burkina Faso, by participating in the colloquium and contributing \$5,000 towards conference costs.

ANNEX 1

Consolidated Reporting

A1.1 Human Resources Management

Management of human resources is key to ensuring that the Agency continues to provide Canadians with high-quality programs and policies that support environmental assessment. In 2004-2005, the Agency began implementing the new Public Service Modernization Act. The Union-Management Consultation Committee's mandate was strengthened to meet new requirements, the development of an Informal Conflict Management System was undertaken and planning for the implementation of the Public Service Employment Act was initiated. Human Resources planning has been strengthened to support the integration of Human Resources and business planning. The Agency's action plan, developed from the 2002 Public Service Employee survey, was updated and activities completed, thereby preparing the Agency for the upcoming 2005 survey. Employee performance commitments were linked to organizational priorities through their performance agreements. The Agency also encouraged individual and organizational learning through various means such as attendance at training sessions, internal learning series and participation in training and developmental assignments.

A1.2 Management Accountability and Modern Comptrollership

The Agency completed its three-year Modern Comptrollership action plan and continued with implementation of the Management Accountability Framework (MAF). MAF commitments and indicators are now included in all Executive performance management agreements.

The Agency conducted a Gap analysis on its implementation of the MAF. During the upcoming fiscal year, the Agency will develop an action plan to address areas of the framework that need to be expanded throughout the agency.

For additional information about the Management Accountability Framework, visit the Treasury Board Secretariat's Web site: www.tbs-sct.gc.ca/maf-crg/index_e.asp.

A1.3 Sustainable Development Strategy

The Agency's 2004-2006 Sustainable Development Strategy focuses on three strategic objectives:

- ensuring a greater measure of certainty, predictability and timeliness in the federal environmental assessment process;
- enhancing the quality of environmental assessments; and
- seeking more meaningful public participation in the federal environmental assessment process.

For additional information about the Agency's Sustainable Development Strategy, visit: www.ceaa.gc.ca/017/0004/001/index_e.htm.

ANNEX 2

Financial Performance

A2.1 Financial Performance Overview

The Agency's total authorities, consisting of Main Estimates and Supplementary Estimates approved by Parliament, were \$19,271K. This consisted of \$19,201K of operating resources, \$1,983K for the Employee Benefit Plan and \$1,588K of contribution resources reduced by \$3,501K related to the authority to collect and re-spend revenues.

Actual expenditures were \$18,273K and resulted in a reported lapse of \$998K. This constitutes a total lapse of approximately 5.2% of total authorities. However, it is important to note a significant portion of that lapse – more than \$650K – is the result of lapses in the Participant Funding Program, which is accessed only when there are review panels and their status requires it. This leaves the Agency with an adjusted lapse of less than 2% for the remaining resources.

It should also be noted that the Agency has the authority to recover costs of various services related to environmental assessment up to an amount of \$3,501K. However, the use of this authority is dependent on the level of review panel activity that is eligible for cost recovery; as such, the level of revenue tends to fluctuate from year to year. In 2004-2005, \$1,091K of revenues was collected.

A2.2 Financial Summary Tables

This section provides financial performance information using a variety of formats. Summary financial data, such as the information presented in Table 5, are displayed using separate column and row headings. For clarity, these headings are defined below.

Main Estimates	Resource requirements and authorities provided in the 2004-2005 Main Estimates
Planned Spending / Revenues	Planned spending, revenues and other program costs at the beginning of fiscal year 2004-2005
Total Authorities	Includes planned spending plus adjustments to reflect changes in priorities and unforeseen events (Total Authorities are Main Estimates plus Supplementary Estimates plus other authorities or adjustments)
Actual	What was actually spent or collected for fiscal year 2004-2005
Responsible Revenues	Revenues that can be used by the Agency to offset program expenditures; for example, cost recovery for review panels or sale of publications and training services
Non-responsible Revenues	Revenues collected on behalf of the government which cannot be used by the Agency to offset program expenditures

Table 1: Comparison of Planned to Actual Spending (incl. FTE)

(thousands of dollars)	2002-03 Actual	2003-04 Actual	2004-2005			
			Main Estimates	Planned Spending	Total Authorities	Actual
Canadian Environmental Assessment Agency	13,368.3	16,731.6	17,883.0	18,183.0	19,270.9	18,272.6
Total	13,368.3	16,731.6	17,883.0	18,183.0	19,270.9	18,272.6
Total	13,368.3	16,731.6	17,883.0	18,183.0	19,270.9	18,272.6
Less: Non-responsible revenue	(21.7)	(0.9)	-	-	(3.8)	(3.8)
Plus: Cost of services received without charge	2,074.6	2,618.8	2,785.0	2,785.0	3,464.4	3,464.4
Net Cost of Agency	15,421.2	19,349.5	20,668.0	20,968.0	22,731.5	21,733.2
Full Time Equivalent	106	128	150	150	135	135

This table provides a summary of resource levels for the last three years, as well as the evolution of the 2004-2005 resources. The increases in total resources over the years are mostly the result of resources approved for the proclamation of the revised *Canadian Environmental Assessment Act*, the Northern Gas Project and collective bargaining agreements. The variance between the Total Authorities and the Actual Spending is largely caused by lapses in the Participant Funding Program as well as various other small operating lapses. Further explanations are provided in Table 2. The variance in “Net Cost of the Agency” can also be explained by fluctuations in the cost of services provided without charge, more specifically, the legal services component provided by the Department of Justice, which was higher than expected in 2004-2005.

Table 2: Use of Resources by Business Lines

2004-2005					
Canadian Environmental Assessment Agency	Budgetary (thousands of dollars)				
	Operating	Grants and Contributions	Total: Gross Budgetary Expenditures	Less: Respendable Revenue	Total:
Main Estimates	19,910.0	1,474.0	21,384.0	(3,501.0)	17,883.0
Planned Spending	20,210.0	1,474.0	21,684.0	(3,501.0)	18,183.0
Total Authorities	21,184.2	1,587.7	22,771.9	(3,501.0)	19,270.9
Actual Spending	18,432.6	931.1	19,363.7	(1,091.1)	18,272.6

This table provides a detailed breakdown of resources for the Agency. The variance between Main Estimates and Planned Spending reflects additional resources identified between the tabling of Main Estimates and the Report on Plans and Priorities related to the Northern Gas Project. The variance between Planned Spending and Total Authorities is mostly the result of additional authorities approved during fiscal year 2004-2005 related to the Northern Gas Project, the accessing of the Agency's 2003-2004 lapsed resources, and collective bargaining agreements. The variance between the Total Authorities and the Actual Spending is mostly caused by lapses in the Participant Funding Program as well as various other small operating lapses. It should be noted that the level of demand to fund public participation in review panels depends on the number of review panels and the status of their assessment; the level of demand will therefore dictate if a lapse occurs and its size for a given year.

Table 3: Voted and Statutory Items

Vote or Statutory Item	Truncated Vote or Statutory Wording	2004-2005 (thousands of dollars)			
		Main Estimates	Planned Spending	Total Authorities	Actual
	Canadian Environmental Assessment Agency				
30	Program Expenditures	15,930.0	16,230.0	17,287.3	16,290.0
(S)	Contributions to Employee Benefit Plans	1,953.0	1,953.0	1,982.6	1,982.6
(S)	Spending of proceeds from the disposal of surplus Crown assets	-	-	1.0	-
	Total Agency	17,883.0	18,183.0	19,270.9	18,272.6

This table presents resources that have been voted to the Agency by Parliament. It should be noted that Parliament approves the voted funding whereas the statutory information is provided for information purposes. Explanation of variance in resource levels can be found in Tables 1 and 2.

Table 4: Net Cost of Agency

<i>(thousands of dollars)</i>	2004-2005
Total Actual Spending	18,272.6
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada	1,524.0
Contributions covering employers' share of employees' insurance premiums and expenditures paid by the Treasury Board Secretariat (excluding revolving funds)	752.2
Worker's compensation coverage provided by Social Development Canada	-
Salary and associated expenditures of legal services provided by Justice Canada	1,188.2
<i>Less: Non-responsible Revenue</i>	(3.8)
2004-2005 Net Cost of Agency	21,733.2

This table reflects the net cost of the Agency. It begins with the net actual spending and adds services received without charge, and then subtracts non-responsible revenue to arrive at the net cost. For 2004-2005, the actual expenditures were higher than the planned spending reflected in the 2004-2005 Report on Plans and Priorities, mostly because of higher costs than expected for legal services provided by the Department of Justice.

Table 5: Sources of Responsible and Non-responsible Revenue

<i>(thousands of dollars)</i>	Actual 2002- 2003	Actual 2003- 2004	2004-2005			
			Main Estimates	Planned Spending	Total Authorities	Actual
Canadian Environmental Assessment Agency	352.2	266.5	3,501.0	3,501.0	3,501.0	1,091.1
Total Responsible Revenues	352.2	266.5	3,501.0	3,501.0	3,501.0	1,091.1
Non-responsible Revenues						
Canadian Environmental Assessment Agency	21.7	0.9	-	-	3.8	3.8
Total Non-responsible Revenues	21.7	0.9	-	-	3.8	3.8
Total Revenues	373.9	267.4	3,501.0	3,501.0	3,504.8	1,094.9

The Agency has authority to recover costs for environmental assessment services, publications, training and education material. However, it should be noted that the use of this authority is dependent on the level of review panel activity that is eligible for cost recovery; as such, the level of revenue tends to fluctuate from year to year.

Table 6: User Fees

User Fee	Fee Type*	Fee Setting Authority	Date Last Modified	2004-2005 (thousands of dollars)			Planning Years		
				Forecast Revenue (\$000)	Actual Revenue (\$000)	Full Cost (\$000)	Fiscal Year	Forecast Revenue (\$000)	Estimated Full Cost (\$000)
Environmental assessment services	R	Environmental Assessment Review Panel Services Charges Order	1998	3,351.0	877.9	1,018.3	2005-2006	3,351.0	3,853.7
							2006-2007	3,351.0	3,887.2
							2007-2008	3,351.0	3,887.2
Fees charged for the processing of access requests filed under the Access to Information Act	O	Access to Information Act	1992	-	0.7	164.5	2005-2006	1.1	50.0
							2006-2007	1.2	56.0
							2007-2008	1.4	62.7
Figures reported in the above table are on a cash modified basis.				Sub-Total (R) 3,351.0	Sub-Total (R) 877.9	Sub-Total (R) 1,018.3	Total 2005-2006	3,352.1	3,903.7
Definition: "R" is Regulatory and "O" is Other Products and Services.				Sub-Total (O) 0.0	Sub-Total (O) 0.7	Sub-Total (O) 164.5	Total 2006-2007	3,352.2	3,943.2
				Total 3,351.0	Total 878.6	Total 1,182.8	Total 2007-2008	3,352.4	3,949.9

For 2004-2005, environmental assessment services constitute the main source of revenues of the Agency. This amount is subject to variation depending on the level of review panel activity that is eligible for cost recovery. It is forecasted that \$3,351K will be collected for this type of revenues for the next three years. Full costs of environmental assessment services are based on actual revenues for 2004-2005 and forecasted revenues for 2005-2006, 2006-2007 and 2007-2008 adjusted for an estimated portion of the cost provided without charge¹.

Actual and forecasted revenues for Access to Information and Privacy (ATIP) are based on a set fee per request as prescribed in the *Access to Information Act*. Full costs are based on actual costs related to generating the required information adjusted by an estimated portion of the cost provided without charge. It should be noted that 2004-2005 costs include a one-time investment that will help reduce future year costs dedicated to ATIP services.

¹ Accommodation provided by Public Works and Government Services Canada. Contributions covering employer's share of employees' insurance premiums and expenditures paid by the Treasury Board Secretariat. Salary and associated expenditures of legal services provided by Justice Canada.

ANNEX 3

Other Information

A3.1 Agency Organization

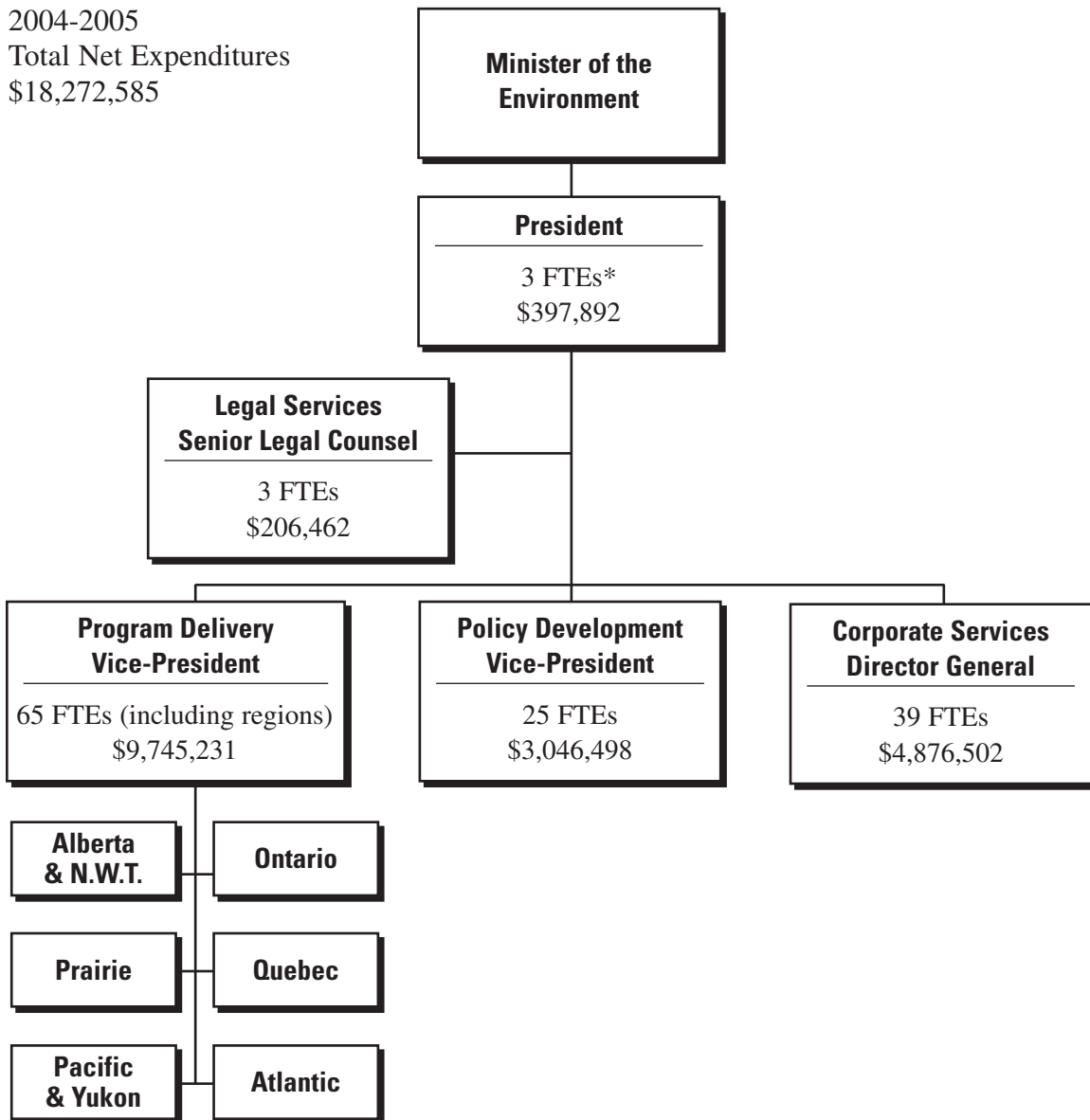
The Agency fulfils its mandate through one program and one business line – environmental assessment. The reporting structure to the Minister of the Environment is shown in the figure below.

Figure 1: Accountability

2004-2005

Total Net Expenditures

\$18,272,585



* Full-time equivalent (FTE) is a measure of human resource usage based on average levels of employment.

A3.2 Major Federal Statutes and Agreements Administered

The Act is solely administered by the Agency. The Minister has responsibility to Parliament for the following associated regulations:

Table 7: Major Federal Statutes and Agreements Administered

<i>Law List Regulations</i>	SOR/94-636 (October 7, 1994)
<i>Comprehensive Study List Regulations</i>	SOR/94-638 (October 7, 1994)
<i>Inclusion List Regulations</i>	SOR/94-637 (October 7, 1994)
<i>Exclusion List Regulations</i>	SOR/94-639 (October 7, 1994)
<i>Federal Authorities Regulations</i>	SOR/96-280 (May 28, 1996)
<i>Projects Outside Canada Environmental Assessment Regulations</i>	SOR/96-491 (November 7, 1996)
<i>Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements</i>	SOR/97-181 (April 8, 1997)
<i>Environmental Assessment Review Panel Service Charges Order</i>	SOR/98-443 (August 26, 1998)
<i>Canada Port Authority Environmental Assessment Regulations</i>	SOR/99-318 (July 28, 1999)

A3.3 Regulatory Initiatives

The following table outlines the Agency's significant regulatory initiatives during 2004-2005.

Table 8: Legislative and Regulatory Initiatives

Legislative and Regulatory Initiatives	Expected Results	2004-2005 Accomplishments
<p>Development of <i>Crown Corporation Regulations</i></p> <p>Crown corporations will become federal authorities in June 2006</p> <p>Regulations will set out a modified environmental assessment process for specific Crown corporations or classes of corporations in recognition of their unique circumstances</p>	<p>Development of frameworks to serve as a basis for consultations with Crown corporations and interested stakeholders</p> <p>Frameworks to be drafted into regulation format</p>	<p>Consensus recommendation that 37 of 41 parent Crown corporations will come directly under the Act in June 2006 with no regulatory initiative modifying the environmental assessment process</p> <p>Development of framework documents for regulations for these Crown corporations not applicable</p> <p>Regulation proposed for two Crown corporations involved in the provision of commercial loans</p> <p>Proposed framework for the regulation prepared and stakeholder consultations launched</p> <p>Comments received will be used to inform the regulatory drafting process</p> <p>Consultations continue with two remaining Crown corporations individually to determine how they might best be served in coming under the Act</p>

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Legislative and Regulatory Initiatives	Expected Results	2004-2005 Accomplishments
<p>Amendments to the <i>Exclusion List Regulations</i></p> <p>New entries will be added to regulations to prescribe new classes of projects to be exempted from environmental assessment and to modify thresholds of certain existing entries</p>	<p>Reductions in number of environmental assessments of projects having insignificant effects conducted by federal responsible authorities, particularly with regard to screening assessments</p> <p>More efficient and effective use of environmental assessment resources</p>	<p>Legal drafting of the amendments to the regulations near completion</p> <p>Distribution of an unofficial final draft of the new version of the regulations to all federal departments and to the Regulatory Advisory Committee</p> <p>Completion and publication of the draft regulations tentatively scheduled for fall 2005</p>
<p>Amendments to <i>Federal Coordination Regulations</i></p> <p><i>Federal Coordination Regulations</i> will be amended to take into account changes brought about by the renewed Act</p>	<p>Increased coordination among federal departments in fulfilling environmental assessment requirements and improved coordination with other participants in the environmental assessment process, including provinces, industry, environmental organizations and others</p> <p>More timely and predictable environmental assessment process</p> <p>Increased transparency in the environmental assessment process</p>	<p>Legal drafting of the amendments to the regulations near completion</p> <p>Completion and publication of the draft regulations tentatively scheduled for fall 2005</p>
<p>Amendments to <i>Canada Port Authority Environmental Assessment Regulations</i></p> <p>In accordance with changes brought about by renewed Act, amendments to regulations needed to ensure the comprehensiveness, consistency, transparency and overall quality of port authorities environmental assessment processes</p>	<p>Environmental assessment procedures for port authorities that is consistent with provisions of the renewed Act, particularly with regard to comprehensive studies and the Registry</p>	<p>Legal drafting of the amendments to the regulations near completion</p> <p>Completion, stakeholder review and publication of the draft regulations tentatively scheduled for fall 2005</p>

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Legislative and Regulatory Initiatives	Expected Results	2004-2005 Accomplishments
<p>Development of <i>Airport Authority Regulations</i></p> <p>In accordance with changes brought about by the renewed Act, regulations will close a gap in the Act by requiring airport authorities to conduct an assessment of the environmental effects of projects located on federal land over which those authorities have administration, management, or other specified rights or interests</p>	<p>Comprehensive environmental assessment process that captures all appropriate airport authority activities for assessment</p> <p>Improved consistency and quality of environmental assessment process for airports</p> <p>Increased transparency and greater opportunities for public involvement in assessment process</p>	<p>Discussions with airport authorities and Minister's Regulatory Advisory Committee regarding draft of proposed environmental assessment Regulations carried out during 2004-2005</p> <p>Publication of proposed regulations expected in <i>Canada Gazette</i> Part 1 in second half of 2005-2006</p>
<p>Amendments to the <i>Inclusion List Regulations</i> and the <i>Law List Regulations</i></p> <p>To ensure that an environmental assessment under the Act is conducted prior to issuance of a licence under the <i>International Boundary Waters Treaty Act Regulations</i></p>	<p>Improved consistency and quality of environmental assessment process for projects and activities affecting Canada-U.S. transboundary waters</p>	<p>Work plan for 2005-2006 established by the Agency with help from Department of Foreign Affairs and International Trade</p> <p>Preparation of material for use during consultation with departments and key stakeholders</p> <p>Consultations with departments and external stakeholders to be held in 2005-2006</p>
<p>Amendment to the <i>Comprehensive Study List Regulations</i></p> <p>Amendments to the <i>Comprehensive Study List Regulations</i> relating to offshore exploratory drilling projects</p>	<p>Environmental assessment process for offshore exploratory drilling projects is commensurate with expected environmental effects</p>	<p>Publication of Regulations in <i>Canada Gazette</i> Part I on March 26, 2005</p> <p>Final approval pending review of subsequent public responses</p>

A3.4 Statistical Summary of Environmental Assessments

Table 9 provides a statistical summary of environmental assessments conducted by responsible authorities and regulated bodies. It outlines the total number of projects that underwent an environmental assessment under the Act during 2004-2005. This information is new from previous years' reporting and is derived from the Canadian Environmental Assessment Registry.

As environmental assessments are often conducted by more than one responsible authority and regulated body, tables 10, 11 and 12 take into consideration the number of environmental assessments according to the type (screening, comprehensive study, review panel) undertaken by each responsible authority and regulated body.

Table 9: Statistical Summary Report in Fiscal Year 2004-2005

Type of Environmental Assessment	Ongoing on April 1, 2004	Initiated this fiscal year	Completed this fiscal year				Ongoing on April 1, 2005
			Not likely to cause significant adverse environmental effects	Likely to cause significant adverse environmental effects	Termination	Total	
Screenings	1,260	6,280	4,536	2	294	4,832	2,708
Comprehensive Studies	29	11	7	0	1	8	32
Review Panels	7	4	0	0	1	1	10

Table 10: Screenings in Fiscal Year 2004-2005

Responsible Authorities / Regulated Bodies	Ongoing on April 1, 2004	Initiated this fiscal year	Completed this fiscal year				Ongoing on April 1, 2005
			Not likely to cause significant adverse environmental effects	Likely to cause significant adverse environmental effects	Termination	Total	
Agriculture and Agri-Food Canada	73	835	603	0	46	649	259
Atlantic Canada Opportunities Agency	72	380	286	0	49	335	117
Belledune Port Authority	0	1	0	0	0	0	1
Canada Border Services Agency	0	6	2	0	0	2	4
Canada Economic Development for Quebec Regions	23	132	108	0	18	126	29

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Responsible Authorities / Regulated Bodies	Ongoing on April 1, 2004	Initiated this fiscal year	Completed this fiscal year				Ongoing on April 1, 2005
			Not likely to cause significant adverse environmental effects	Likely to cause significant adverse environmental effects	Termination	Total	
Canada-Newfoundland and Labrador Offshore Petroleum Board	7	10	6	0	2	8	9
Canada-Nova Scotia Offshore Petroleum Board	5	5	5	0	3	8	2
Canadian Heritage	3	12	5	0	0	5	10
Canadian International Development Agency	101	162	161	0	2	163	100
Canadian Nuclear Safety Commission	2	13	0	0	0	0	15
Canadian Transportation Agency	8	19	2	0	0	2	25
Citizenship and Immigration Canada	0	3	0	0	0	0	3
Correctional Service of Canada	3	13	12	0	1	13	3
Environment Canada	74	308	301	0	26	327	55
Fisheries and Oceans Canada	577	931	798	1	75	874	634
Foreign Affairs Canada	4	8	9	0	0	9	3
Fraser River Port Authority	2	3	3	0	0	3	2
Halifax Port Authority	0	6	3	0	0	3	3
Hamilton Port Authority	0	2	1	0	0	1	1
Health Canada	21	38	14	0	0	14	45
Human Resources and Skills Development Canada	13	106	90	0	4	94	25
Indian and Northern Affairs Canada	134	1,338	779	0	25	804	668

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Responsible Authorities / Regulated Bodies	Ongoing on April 1, 2004	Initiated this fiscal year	Completed this fiscal year				Ongoing on April 1, 2005
			Not likely to cause significant adverse environmental effects	Likely to cause significant adverse environmental effects	Termination	Total	
Industry Canada	20	157	125	0	0	125	52
Infrastructure Canada	123	104	193	0	0	193	34
Montréal Port Authority	4	7	7	0	0	7	4
National Defence	80	343	197	0	6	203	220
National Energy Board	10	35	39	0	2	41	4
National Research Council of Canada	0	3	3	0	0	3	0
Natural Resources Canada	27	119	75	0	8	83	63
Natural Sciences and Engineering Research Council	1	0	0	0	0	0	1
Parks Canada Agency	156	714	591	1	12	604	266
Public Works and Government Services Canada	15	47	39	0	4	43	19
Québec Port Authority	1	5	5	0	0	5	1
Royal Canadian Mounted Police	1	15	8	0	1	9	7
Saint John Port Authority	1	0	1	0	0	1	0
Sept-Îles Port Authority	1	0	0	0	0	0	1
St. John's Port Authority	0	3	2	0	0	2	1
Transport Canada	376	474	360	0	0	360	490
Trois-Rivières Port Authority	0	1	0	0	0	0	1
Vancouver Port Authority	5	15	13	0	1	14	6
Western Economic Diversification Canada	101	253	244	1	9	254	100
Windsor Port Authority	0	3	1	0	0	1	2
Totals	2,044	6,629	5,091	3	294	5,388	3,285

Table 11: Comprehensive Studies in Fiscal Year 2004-2005

Responsible Authorities / Regulated Bodies	Ongoing on April 1, 2004	Initiated this fiscal year	Completed this fiscal year				Ongoing on April 1, 2005
			Not likely to cause significant adverse environmental effects	Likely to cause significant adverse environmental effects	Termination	Total	
Agriculture and Agri-Food Canada	1	0	0	0	0	0	1
Canada-Newfoundland and Labrador Offshore Petroleum Board	0	1	0	0	0	0	1
Canada-Nova Scotia Offshore Petroleum Board	0	1	0	0	0	0	1
Canadian Nuclear Safety Commission	1	0	1	0	0	1	0
Environment Canada	2	1	1	0	0	1	2
Fisheries and Oceans Canada	15	3	4	0	1	5	13
Hamilton Port Authority	1	0	0	0	0	0	1
Industry Canada	1	4	0	0	0	0	5
Indian and Northern Affairs Canada	4	2	1	0	0	1	5
Infrastructure Canada	2	0	2	0	0	2	0
National Energy Board	1	0	1	0	0	1	0
Natural Resources Canada	5	1	0	0	0	0	6
Parks Canada Agency	3	0	0	0	0	0	3
Transport Canada	15	4	5	0	0	5	14
Vancouver Port Authority	0	1	0	0	0	0	1
Western Economic Diversification Canada	2	0	0	0	0	0	2
Totals	53	18	15	0	1	16	55

Table 12: Review Panels in Fiscal Year 2004-2005

Responsible Authorities / Regulated Bodies	Ongoing on April 1, 2004	Initiated this fiscal year	Completed this fiscal year				Ongoing on April 1, 2005
			Not likely to cause significant adverse environmental effects	Likely to cause significant adverse environmental effects	Termination	Total	
Canadian Environmental Assessment Agency	0	1	0	0	0	0	1
Canadian Transportation Agency	0	1	0	0	0	0	1
Environment Canada	1	0	0	0	0	0	1
Fisheries and Oceans Canada	5	3	0	0	1	1	7
National Energy Board	1	1	0	0	0	0	2
Natural Resources Canada	2	2	0	0	0	0	4
Transport Canada	6	3	0	0	0	0	9
Totals	15	11	0	0	1	1	25

For Further Information

Director of Communications

Canadian Environmental Assessment Agency
Place Bell Canada, 22nd Floor
160 Elgin Street
Ottawa, ON K1A 0H3

Telephone: (613) 957-0712

Fax: (613) 948-1354

E-mail: info@ceaa-acee.gc.ca

The Canadian Environmental Assessment Agency's Web site

www.ceaa-acee.gc.ca

The Treasury Board Secretariat's Web site

www.tbs-sct.gc.ca