

**GCT DP4 – Comments on Draft Joint Assessment Plan**

Response requested by: **December 23, 2021**

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**Draft Joint Assessment Plan**

Section and PDF Page number	Issue (rationale and whether the issue is project-specific or general)	Suggested edit (show original text with suggested edits in track changes)		Type of edit (critical or recommended)
Glossary (pdf p. 6)	General  The draft Joint Assessment Plan's Glossary describes a provincial technical advisory committee (TAC) that will provide expert advice to the BC Environmental Assessment Office (EAO), which HC understands is a requirement under the BC <i>Environmental Assessment Act, 2018</i> . While the Federal <i>Impact Assessment Act, 2019</i> (IAA) does not contain this specific regulatory requirement, it may be worth adding a paragraph to the plan indicating that federal authorities also have a role in providing their specialist or expert information or knowledge with respect to a designated project to the Impact Assessment Agency of Canada (refer to the Federal Authority's obligation under S. 13(1) of the IAA).	Suggested addition: [Glossary table excerpt]		Recommended
		<b>Term</b>	<b>Definition</b>	
		Technical Advisory Committee (TAC)	A provincial committee to provide expert advice to the EAO and participating Indigenous nations related to the assessment. Technical advisors will include provincial experts and regulators, Indigenous nations, experts from local governments, and may include representatives from the United States. The Technical Advisory Committee is the provincial forum for the detailed, technical review of the proponent's documents and technical studies.	
		<u>Federal Authorities (FA)</u>	<u>A Federal department or agency in possession of specialist or expert information or knowledge with respect to a designated project, which must make that information or knowledge available to the Agency.</u>	

<p>Section 5.2: Impact Assessment Phase led by the Review Panel (Part 1) - Indigenous Engagement (pdf p. 15)</p>	<p>General</p> <p>The Indigenous Engagement sub-section appears to be missing a statement that the review panel hearings may be held in the communities most likely to be affected by the project (as is indicated in the Public Participation Opportunities sub-section on pdf p. 16).</p>	<p>Suggested addition: [Excerpt]</p> <p>The objectives of Indigenous engagement for part 1 of this phase are to:</p> <ul style="list-style-type: none"> <li>• promote participation in the review panel process and hearings- <u>to be held in the communities most likely to be affected by the project</u>; and</li> </ul>	<p>Recommended</p>
<p>Section 5.2: Impact Assessment Phase led by the Review Panel (Part 1) – Roles and Responsibilities (pdf p. 18)</p>	<p>General</p> <p>As not all Federal (or Provincial) Authorities may be in a position to collaborate with First Nations on a <u>submission</u> to the review panel, an edit is proposed.</p>	<p>Suggested edit: [Excerpt from Roles and Responsibilities Table – Provincial and Federal Authorities]</p> <ul style="list-style-type: none"> <li>• Collaborate with Indigenous nations <u>to submit</u> preliminary analysis and conclusions related to potential project impacts on Indigenous interests <u>that will be submitted</u> to the review panel.</li> </ul>	<p>Recommended</p>
<p>Section 5.5 Post-Decision (pdf p. 23)</p>	<p>General</p> <p>This page outlines the Compliance &amp; Enforcement (C&amp;E) activities of the BC EAO (e.g., inspections and enforcement). However, for the federal role in C&amp;E, this page mainly indicates that follow-up and monitoring documents will be posted to the Public Registry. It may be beneficial to more fully describe the Federal role in C&amp;E so as to provide greater certainty to participants of this process.</p> <p>Refer to IAAC's website: <a href="https://www.canada.ca/en/impact-assessment-agency/corporate/compliance-promotion-enforcement.html">https://www.canada.ca/en/impact-assessment-agency/corporate/compliance-promotion-enforcement.html</a></p>	<p>Suggested addition: [Excerpt]</p> <p>During this phase, <u>the Agency's Compliance Promotion and Enforcement Unit verifies compliance and enforces the Impact Assessment Act (2019) and any conditions included in decision statements. Enforcement officers also apply a number of compliance, promotion and enforcement activities to encourage compliance with the new Act and avoid adverse effects on the environment.</u> The Agency would post follow-up and monitoring documents to the Public Registry. Compliance and potential enforcement activities would also be posted to the Public Registry.</p>	<p>Recommended</p>