

# The public and the proponent

## Report of a meeting between environmental groups and the Department of Environment and Local Government, April 15, 2004

By Mary Ann Coleman

On April 15 the Department of the Environment and Local Government (DELG) met with environmental groups as part of an announcement of amendments to the EIA process. The amendments are changes to the manner in which the EIA Regulation is implemented. In the fall, they will be bringing forward more in-depth amendments to the regulation itself.

The immediate changes are to address issues of transparency and streamlining. On this front, the good news is that the Department is looking for public input during the screening stage. In line with this, they will be providing public notification of new projects and status updates both on-line and with news releases. However, from the point of view of environmentalists in attendance, a very big downside is that the public is going to be getting their information on the project from the proponents (ei. the company or agency developing the project). The proponent will be responsible for informing the affected public, seeking their input and preparing a report to submit to the Minister and the public. Environmentalists are concerned that the proponent will be filtering public input to the government. The government should bear the responsibility to directly interact with the public.

In order to streamline the process, the Department will be developing a new registration guide and sector specific guidelines. As well, they will be addressing the internal process with the Technical Review Committee.

Down the road, there is consideration of creating a list of projects that will automatically require a full EIA (such as unknown technology, hazardous waste importation and big budget projects). Land-use plans will also be a piece of the puzzle and proponents will be required to have zoning changes in place prior to EIA registration. As well, they are looking to improved harmonization with the Federal process.

For changes that will require the regulation to be amended, they are considering

- class assessments
- revisions to the schedule which outlines which type of project is subject to an EIA
- cost recovery from the proponent, and
- changes to the public review process.

Environmentalists who were there called for additional changes such as

- intervenor funding
- stronger role for the public during the scoping phase
- independent panels
- permanent panel which weighs the evidence (like the PUB)

- appeal process
- including large agricultural operations and forestry management plans

As David Coon noted, “EIA is a balancing of different values and different ideas on the acceptability of the risk.”

The Deputy Minister did commit to some additional consultation with environmentalists on this issue this summer. The NBEN has a new EA Reform Caucus. If you are interested in being involved, please let us know.

**In attendance at this meeting were:**

**DELG** –

**Hermel Vienneau**, Deputy Minister,

**George Haines** - Assistant Deputy Minister, Environmental Management (Division),

**Diane Kent-Gillis** - Assistant Deputy Minister, Sciences and Planning (Division),

**Paul Vanderlaan**, Director, Project Assessment (EIA) (Branch)

**Germaine Pataki-Thériault**, Project Manager, Project Assessment (EIA) (Branch)

**Environmental Groups** –

Conservation Council of NB - **David Coon**,

Friends of the Musquash - **David Thompson**,

Chaleur Bay Watershed Association - **Gilberte Boudreau**,

NB Lung Association – **Ken Maybee and Barbara McKinnon**,

Sentinelles Petitcodiac Riverkeeper – **Daniel LeBlanc**,

NBEN/RENB – **Mary Ann Coleman**

**Other documents of interest:**

- DELG News release, April 15, 2004  
</environews/media/mediaarchives/04/april/eiaimprovements.htm>
- [CCNB position paper “The Need for Reform”](#), April 2004 [pdf]
- EIA Working Group Recommendations, January 1997  
[/aboutus/caucus/archived\\_caucuses/eia/eiarec.htm](/aboutus/caucus/archived_caucuses/eia/eiarec.htm)
- EIA Working Group Discussion Paper, October 1996  
[/aboutus/caucus/archived\\_caucuses/eia/eiaopt.htm](/aboutus/caucus/archived_caucuses/eia/eiaopt.htm)