



Operational Policy Statement

Addressing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act*

1. INTRODUCTION

This Operational Policy Statement is issued by the Canadian Environmental Assessment Agency (the Agency) to provide clarification and guidance to responsible authorities (RAs) on how cumulative environmental effects should be considered in environmental assessments conducted under the *Canadian Environmental Assessment Act* (the Act).

The statement is related to consideration of paragraph 16(1)(a) of the Act, which states:

“Every screening or comprehensive study of a project and every mediation or assessment by a review panel shall include a consideration of the environmental effects of the project, including...any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that have been or will be carried out”.

RAs must determine appropriate means to satisfy this requirement as part of screenings and comprehensive studies. Detailed guidance on doing so can be found in the following documents:

- *Cumulative Effects Assessment Practitioners Guide (1998)* prepared by The Cumulative Effects Assessment Working Group and AXYS Environmental Consulting Ltd.
- *A Reference Guide for the Canadian Environmental Assessment Act: Addressing Cumulative Environmental Effects* (November 1994) (Reference Guide).

It is recommended that RAs consult these documents in determining how to take account of cumulative environmental effects in the assessment of projects under the Act.

2. PURPOSE

This Operational Policy Statement provides background on the development of the *Cumulative Effects Assessment Practitioners Guide* (Practitioners Guide) and highlights certain differences between the Practitioners Guide, the Act and previous Agency guidance on this subject. It offers advice to RAs wishing to consult the Practitioners Guide in addressing these requirements under the federal environmental assessment process. It also updates the Agency's

position on the assessment of cumulative environmental effects as described in the 1994 Reference Guide.

3. CUMULATIVE EFFECTS ASSESSMENT PRACTITIONERS GUIDE

The Agency sponsored and funded the development of the Practitioners Guide by an independent multi-stakeholder committee. It was the subject of broad consultations among RAs, other practitioners and the public, prior to being finalized and published.

The Practitioners Guide offers a “best practices” perspective on cumulative effects assessment (CEA) with emphasis on the assessment of cumulative biophysical effects. It is intended to be broadly applicable across Canadian jurisdictions and to projects of varying size and complexity in different industrial and development sectors.

The Practitioner’s Guide was not developed solely in reference to the assessment of cumulative environmental effects under the Act. Accordingly, when consulting the Guide with respect to projects undergoing a federal environmental assessment, RAs should take the following into account.

- **Definition of Cumulative Environmental Effects**

“Cumulative environmental effects” are defined more narrowly in the Practitioners Guide than contemplated under the Act. Whereas the Guide focuses exclusively on cumulative biophysical effects, federal assessments of cumulative effects can extend beyond changes to the biophysical environment and include, for example, the effects of such changes on health and socio-economic conditions, physical and cultural heritage and other environmental effects as defined in Paragraph 2 of the Act.

In conducting project assessments, RAs should consider whether these factors as well as biophysical effects should be examined in the CEA.

- **Identifying Future Projects to Include in CEA**

According to the Practitioners Guide, the selection of future actions to consider in the CEA should reflect “the most likely future scenario”. Emphasis is given to projects with greater certainty of occurring; however, hypothetical projects might be discussed on a conceptual basis in some cases.

As stated above, the Act refers to the consideration of “any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that ... **will be** carried out”. Accordingly, in identifying future projects to include in the CEA, RAs should consider projects that are “certain” and “reasonably foreseeable”, as recommended by the Practitioners Guide. The Act does not require consideration of hypothetical projects but RAs may chose to do so at their discretion. Information concerning the cumulative effects of the project under assessment combined with hypothetical projects may contribute to future environmental planning. However, it should not be the determining factor in the environmental assessment decision under the Act.

RAs should be guided by a clear rationale in selecting future projects to include in the CEA. RA staff will need to exercise judgment in distinguishing projects that are certain, reasonably foreseeable and hypothetical. The definitions contained in Annex 1 can assist RAs in making these distinctions.

The Agency's 1994 Reference Guide advised that the assessment of cumulative effects in relation to future projects should focus exclusively on imminent projects, that is, projects that have been approved but not yet implemented or proposals awaiting planning or other formal approval. It is now recognized that this approach may not always be adequate to understand the implications of development activity on the future well-being of environmental resources. Also, it may limit the ability of CEA findings to contribute to informed environmental planning and decision-making in the future in the project area. The Agency position has evolved as described above, to better reflect the broad objectives of the Act and the "best practices" approach of the Practitioners Guide.

- **Level of Effort**

The Practitioners Guide emphasizes approaches and issues associated with the CEA of large projects. The Guide also notes that this framework can be scaled-down and adapted for use with smaller projects.

The level of effort directed to the assessment of cumulative environmental effects should be appropriate to the nature of the project under assessment, its potential effects and the environmental setting. For example, particular attention should be given to the selection of future projects to be considered in the CEA where certain and reasonably foreseeable projects may have an impact on the same valued ecosystem components as the project under assessment; where rapid development of the project area is anticipated; or where particular environmental sensitivities or risks are involved.

In planning the CEA, RAs should carefully consider such circumstances and the effort needed to investigate potential cumulative environmental effects.

For further information, contact the Agency office nearest you. (List attached)

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Annex I Selection of future projects for CEA under the Act

In selecting future projects to include in the CEA of a project undergoing a federal environmental assessment, RAs should focus on the most likely future scenario. The rationale for including specific projects should take account of the level of certainty that those selected will actually proceed.

RA staff will need to exercise judgment in distinguishing projects that are “certain”, “reasonably foreseeable” and “hypothetical”. The following definitions from the Practitioners Guide (p.18 and 19) can assist RAs in this regard. Additional details are found in section 3.2.4.1 of the Practitioners Guide.

Definitions

Certain: “The action will proceed or there is a high probability the action will proceed.”

Reasonably Foreseeable: “The action may proceed but there is some uncertainty about this conclusion.”

Hypothetical: “There is considerable uncertainty whether the action will ever proceed. ... Conjectural based on currently available information.”