

Chapter 5

Environmental Assessment (EA) Process

Table of Contents

	page
5. Environmental Assessment (EA) Process.....	5-1
5.1 Environmental Assessment by Canadian Airport Authorities – Historical Context.....	5-1
5.2 Current EA Requirements.....	5-1
5.2.1 Federal EA Requirements.....	5-1
5.2.2 Provincial EA Requirements.....	5-2
5.2.3 Municipal EA Requirements.....	5-2
5.2.4 Calgary Airport Authority EA Requirements.....	5-2
5.3 Calgary Airport Authority Self-directed EA Process.....	5-2
5.3.1 Initiating the Process.....	5-2
5.3.2 Coordinating with Federal, Provincial, and Municipal Authorities.....	5-2
5.3.3 Scoping the Project: Project Description.....	5-3
5.3.4 Scoping the Assessment.....	5-4
5.3.5 Conducting the Assessment and Preparing the Comprehensive Study.....	5-4
5.3.5.1 Existing Conditions.....	5-4
5.3.5.2 Effects Assessment.....	5-4
5.3.5.3 Comprehensive Study.....	5-4
5.3.5.4 Comprehensive Study Report.....	5-5
5.3.6 Implementing the Mitigation and Follow-up Program.....	5-5
5.3.6.1 Mitigation Design.....	5-5
5.3.6.2 Implementation of the Mitigation Measures.....	5-5
5.3.6.3 Implementation of the Follow-up Program.....	5-5
5.3.7 Participant Funding.....	5-5

5. Environmental Assessment (EA) Process

5.1 Environmental Assessment by Canadian Airport Authorities – Historical Context

Prior to 1992, the Government of Canada owned and operated most of the airports in Canada and was subsequently responsible for conducting environmental assessments (EAs) on airport-related projects. In 1992, the Government of Canada transferred responsibility for the operations, maintenance, and management to local airport authorities, leasing the land to the airport authorities, but retaining ownership of National Airport System (NAS) airports. This transfer of management shifted the responsibility for EA to the local airport authorities, making the authorities responsible for developing and applying their own EA procedures. In 1995, the *Canadian Environmental Assessment Act* (CEAA) came into effect, requiring all federal authorities to conduct EAs under the CEAA. At that time, airport authorities were considered to be exempt from conducting EAs under the CEAA unless the proposed project contained a specific federal trigger, including the requirement of federal approvals, grants, or financing (see Section 5.2.1). In 1999, the EA process at NAS airports was reviewed by Transport Canada (TC) and the Canadian Environmental Assessment Agency (the Agency). As a result, a voluntary standard for EAs was developed for airport authorities in 2001. The following year, the EA processes at NAS airports were audited by TC and the Agency.

Since 1995, the federal government has been bringing more entities under the CEAA. The Canada Port Authority was included in 1999 under the *Canada Port Authority Environmental Assessment Regulations*, as were Crown Corporations, through the passing of Bill C-9, *An Act to Amend the Canadian Environmental Assessment Act* (2003), and the implementation of *The Crown Corporations Involved in the Provision of Commercial Loans Environmental Assessment Regulations* (2006).

5.2 Current EA Requirements

5.2.1 Federal EA Requirements

At present, certain projects can be undertaken on federally leased land by an airport authority without a formal EA under the CEAA. The Act does not apply to such projects, unless the project receives federal funding or is specifically triggered under the *Law List Regulations*, which identifies those federal statutory and regulatory approvals that require an EA. The latest advice from the Agency is that the Government of Canada intends to extend the application of the CEAA to all airport authorities when the Act is reviewed and amended in 2011. However, the federal Minister of the Environment informed the Calgary Airport Authority that:

“There are currently no regulations under the Act that require airport authorities to conduct federal environmental assessments. Without such regulations, the Act does not apply to airport authorities.

This regulatory gap is a long-standing issue. The Agency is currently exploring regulatory options related to the conduct of environmental assessments by airport authorities under the Canadian Environmental Assessment Act for my consideration. In so doing, we will be mindful of potential impacts on projects under way at Canadian airports across the country including the project to expand the Calgary International Airport and the environmental assessment undertaken for the project.

I would like to assure you that the Calgary Airport Authority would not be required to start over the environmental assessment under way in the event of a regulatory change. The approach to parallel the requirements of the Act was suggested by Agency staff to allow for greater flexibility should regulations be developed and come into force that would potentially impact the project to expand the Calgary International Airport.”

Therefore, the PRP will not be subject to formal EA requirements under the CEAA.

5.2.2 Provincial EA Requirements

As the Authority is a federally regulated body operating on federally leased lands, the provincial review process does not apply. Provincial approvals are not formally granted for projects on federal lands; however, EA studies and analyses are typically conducted to a level of detail that would permit a provincial approval to be granted. The Authority is consulting with provincial regulatory agencies regarding provincial requirements, however, actual permits, approvals, licenses, or authorizations will not be formally issued.

5.2.3 Municipal EA Requirements

In this case, no municipal EA requirements apply.

5.2.4 Calgary Airport Authority EA Requirements

The Authority applies a self-directed, EA process based on the CEAA model to all projects for which the Authority is the decision-making authority. The Authority's self-assessment process is charged with verifying that the potential environmental effects of projects are considered. The Authority has three levels of self-assessment:

1. The "Automatic Exclusion List", which identifies projects having no significant environmental effects; for example, building renovations (in areas known to be free from asbestos, lead, and other hazardous materials) or pavement overlays. Those projects require no formal assessment.
2. The "Inclusion List", which identifies projects having environmental effects that can be mitigated by known technologies; for example, underground storage tank installations or new roads. Those projects are subject to an environmental screening.
3. The "Comprehensive Study (CS) List", which identifies projects with significant concerns requiring public consultation and further study; for example, new runways. Those projects are subject to a CS.

To date, YYC projects have been assessed as set out above, but none have required a CS. However, the length of the proposed runway would dictate that a CS be conducted if the CEAA applied; thus, the Authority has chosen to implement a self-directed CS that shadows the CEAA EA process. (For more information regarding the self-directed process, see Section 5.3 of this chapter.)

5.3 Calgary Airport Authority Self-directed EA Process

5.3.1 Initiating the Process

The self-directed EA process for the PRP was initiated in January 2009 through two steps: 1) the Agency was informed of the Authority's intention to conduct a CS, shadowing the process typically followed under the CEAA and 2) a project registry website was established. All notices, documents, and other information about the project and the CS process were posted on the website as they became available (see Volume II, Chapter 6).

5.3.2 Coordinating with Federal, Provincial, and Municipal Authorities

A priority of the Authority has been to inform all interested federal, provincial, and municipal authorities about the PRP and to provide them with the opportunity to participate in the self-directed EA process. The Agency has assisted the Authority in engaging with other federal departments in the execution of the CS. For example, on 6 March 2009, the Authority provided the Agency with an initial description of the PRP which the Agency circulated to TC, Health Canada (HC), Indian and Northern Affairs Canada, Fisheries

and Oceans Canada, and Environment Canada. (That circular is posted on the project registry website.) Together, the Authority and the Agency have continued to share relevant information and CS documentation with federal departments via the project registry website and/or direct contacts. There have also been numerous working level contacts between technical staff on the EA/CS team, federal department headquarters, and regional staff.

To respect the spirit and intent of the Canada-Alberta Agreement for Environmental Assessment Harmonization, the Agency also forwarded the circular to Alberta's coordinator for EA. Although the Province informed the Authority that no EA is required under the AEPEA, some provincial agencies did participate informally in the CS. In addition, the Authority has made a practice of complying with provincial standards and guidelines with respect to air and water, though not legally required to do so. The Authority will continue to consult with relevant provincial agencies on matters of provincial jurisdiction.

The Authority has established longstanding and close relationships with the City of Calgary, the City of Airdrie, and Rocky View County. The Authority continues to undertake frequent meetings with elected officials and municipal staff. Many discussions have taken place between Authority staff, consultants, and municipal managers and technical staff during the preparation of the CS. Such discussions will continue throughout the PRP.

5.3.3 Scoping the Project: Project Description

The scope of the PRP refers to those components of it that are the subject of the CS. (The Project Description Chapter II-7 provides further details on each component.) In determining the project scope, the Authority considered the core project components, related projects, and ancillary works.

- **Core project components** include anything that is being constructed, operated, modified, decommissioned, or abandoned to achieve the main purpose of the project.
- **Related projects** include other projects and activities that are either in progress at the airport or included in the current version of the master plan.
- **Ancillary works** include all the infrastructure, utilities, and services (e.g., electrical utilities, lighting, stormwater systems, signage) that are required to support the development, including any temporary works such as temporary buildings, storage areas, roads, etc.

The Authority considered whether or not related projects or activities are within or outside the scope of the PRP, specifically those that are physically related (i.e., physically connected or linked) or induced (i.e., the other project or activity is inevitable because the core project was developed).

Projects and activities that were determined to be outside the scope of the PRP included:

- Projects already underway and subject to separate screenings, including the International Facilities Project (an addition to the terminal);
- A proposed new Air Traffic Control Tower to be built by NAV CANADA;
- Planned improvements to the road system in the vicinity of the airport but outside the airport property itself;
- A new fire hall that may be required in response to recent changes in emergency response standards; and
- A de-icing facility, the need for which is currently under study.

However, these projects may be considered in the assessment of cumulative effects, as reasonably foreseeable projects.

5.3.4 Scoping the Assessment

The scope of the assessment refers to the factors to be considered in the CS. To shadow the CEAA, the scope of the assessment has to include all factors described in subsections 16(1) and 16(2) of the CEAA relevant to the CS (such as the need for the project and alternatives to the project). In this CS, the Authority has determined the scope; in cooperation with the Agency, the Authority has solicited advice from federal departments, including Indian and Northern Affairs Canada, TC, HC, Environment Canada, and Fisheries and Oceans Canada. The Authority also prepared a draft Scoping Document which it released for public and Agency review on 15 April 2009. It held three public consultation meetings on 30 April, 2 May, and 4 May and revised the Scoping Document in light of the responses received from the public and government agencies. The revised Scoping Document was posted on the project registry website in November 2009.

5.3.5 Conducting the Assessment and Preparing the Comprehensive Study

5.3.5.1 *Existing Conditions*

The first step in conducting an assessment is to describe the existing conditions. The purpose of describing the existing conditions is to provide an overview of the project setting and to set a baseline from which environmental effects can be predicted and against which predicted and actual environmental effects can be compared. This includes the biophysical environment, as well as socio-economic, cultural, and other dimensions of the human community that may be affected by the project.

For this CS, baseline reports described the existing environment, Valued Components (VCs), and relevant sensitive receptors. VCs represented site-specific features or attributes that were considered to be important for social, cultural, economic, or ecological reasons. For a variety of topics, draft baseline reports were prepared for public and agency review before final reports were posted on the project registry website.

5.3.5.2 *Effects Assessment*

A draft CS provides an assessment of potential residual effects after mitigation of the proposed PRP on the environmental and socio-economic VCs, including an assessment of the likely cumulative effects of the PRP in combination with other past, present, and reasonably foreseeable projects and activities. It also includes descriptions and a list of the mitigation measures to be implemented by the Authority and conclusions about the significance of the residual effects of the PRP after mitigation.

Finally, the draft CS defines the need for, and the nature of, any follow-up and monitoring measures required to verify the accuracy of the effects assessment and the effectiveness of mitigation measures.

5.3.5.3 *Comprehensive Study*

This draft CS is being made available for public and agency comment. A public consultation meeting will be held soon after the release of the draft. Comments will be accepted for 60 calendar days, and the CS will be finalized immediately after that. The final CS will include a list of issues raised during its preparation. Every issue will be addressed in the CS. However, where people raise the same issue, their concerns may be grouped to provide a response in a more efficient manner.

5.3.5.4 *Comprehensive Study Report*

The Authority will commission a qualified person to review the CS and write a CS Report (CSR), which will recommend whether the CS should be accepted and what conditions, if any, should be attached to its acceptance. If the CS is not acceptable, the CSR will define what should be done to render it acceptable, and the Authority will take steps to reach that goal. When the work required to produce an acceptable CS is complete, and the Authority agrees to the conditions set out in the CSR, the Authority will determine the next steps for the PRP.

5.3.6 Implementing the Mitigation and Follow-up Program

5.3.6.1 *Mitigation Design*

The engineering design process for the PRP has been proceeding in conjunction with preparation of the CS. It will continue until the start of construction in 2011, with modifications to the design to meet circumstances that come to light during construction. The environmental team will continue to work closely with the engineers on the details of measures designed to avoid or reduce the magnitude and duration of environmental effects. The mitigation measures will be defined in design drawings, technical requirements, and contract specifications.

5.3.6.2 *Implementation of the Mitigation Measures*

During the construction phase, the Authority will deploy environmental inspectors to oversee the implementation of mitigation measures and to detect departures from design specifications or any unanticipated environmental effects. The Authority will put in place protocols to make certain appropriate action is taken in the event of any such departures.

5.3.6.3 *Implementation of the Follow-up Program*

The details of the follow-up program will be determined once the EA has been completed. Monitoring of noise levels and air quality during construction is likely. The Authority already has a noise monitoring program that is likely to be augmented for this project. The Authority will advise the public of the follow-up program results through the project registry website and other means as appropriate.

5.3.7 Participant Funding

The Authority established a Participant Funding Program for individuals and not-for-profit organizations interested in participating in the CS. Only parties who could demonstrate that they meet at least one of the following criteria were eligible. They must:

- Have a direct, local interest in the project, such as living or owning property in the project area;
- Have a community knowledge or Aboriginal knowledge relevant to the EA; or
- Plan to provide expert information relevant to the anticipated environmental effects of the project.

An amount up to, but not exceeding, \$100,000 was made available for participant funding, and information about the program was posted on the website.