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# **A GUIDE TO ENVIRONMENTAL IMPACT ASSESSMENT IN NEW BRUNSWICK**

Department of Environment and Local Government  
January 2018

## Preface

This document is a revision of *A Guide to Environmental Impact Assessment in New Brunswick*, last updated in 2012, and is for information purposes only. It is not a substitute for the Clean Environment Act or the *Environmental Impact Assessment Regulation, NB Reg 87-83*. In the event of any inconsistency between this document and the Clean Environment Act or the *Environmental Impact Assessment Regulation*, the Clean Environment Act or the *Environmental Impact Assessment Regulation* will prevail. This document is not and should not be construed as legal advice. A lawyer should be consulted on questions about the application or interpretation of the laws of New Brunswick as they relate to the subject matter in this document.

Other agencies such as other provincial departments, the federal government and municipalities may have requirements not addressed or included in this *Guide*.

This document may be reviewed and updated periodically as appropriate by the Department of Environment and Local Government. The *Guide to Environmental Impact Assessment in New Brunswick* presents procedures and practices that are recommended by the Department of Environment and Local Government in accordance with regulatory requirements. Variations may be made to accommodate special circumstances if they do not detract from the intent of the *Guide to Environmental Impact Assessment in New Brunswick*.

Comments and feedback on this document can be submitted to [eia-eie@gnb.ca](mailto:eia-eie@gnb.ca) or forwarded to the Environmental Impact Assessment Branch at the contact information on page 1.

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# Introduction

New Brunswick's *Environmental Impact Assessment Regulation* (Regulation 87-83) came into force on July 13, 1987, to provide a legislative framework for proactive environmental planning including opportunities for public involvement. The Clean Environment Act, RSNB 1973, c C-6 is the source legislation for *Regulation 87-83*.

Regulation 87-83 is designed to identify the environmental impacts associated with development proposals well in advance of their implementation, so that such impacts can be avoided or reduced to acceptable levels before they occur. Environmental Impact Assessment (EIA) gives technical specialists from government agencies, as well as First Nations, local residents, and the general public a chance to provide their input to the decision-making process regarding specific development proposals. The EIA review process must be completed before any project subject to EIA can proceed. Although the *EIA Regulation* grants the Lieutenant-Governor in Council the authority to prevent projects from proceeding, Regulation 87-83 is not intended to be a mechanism for stopping developments. Anticipated impacts can be avoided or reduced to acceptable levels through careful attention to the location, design and timing of a proposed undertaking and by ensuring that proponents follow specific terms and conditions identified by regulators.

## **Public and First Nation Involvement**

The *EIA Regulation* is administered in a way that gives the public, stakeholders and First Nations the opportunity to learn about and comment on proposed projects. This opportunity is one of the most important aspects of the EIA process in New Brunswick. An assessment of the Province's Duty to Consult First Nations and subsequent meaningful consultation is a key component of the EIA review.

## **Who Must Apply**

Under the Regulation, individuals, companies, or public sector agencies that propose an activity that is listed as an Undertaking in *Schedule "A"* of Regulation 87-83 (page 10) are required to register information about the proposal with the Department of Environment and Local Government at an early stage in the planning schedule.

This Registration Guide is intended for those who are required to register an undertaking for review under New Brunswick's *EIA Regulation*.

Additional Information on the EIA Process can be obtained from the:

Environmental Impact Assessment Branch  
Department of Environment and Local Government  
20 McGloin Street, PO Box 6000,  
Fredericton, NB E3A 5T8  
Telephone: 506-444-5382  
E-mail: eia-eie@gnb.ca

Or visit the [Environmental Impact Assessment web page](#)

# Overview of the EIA Process in New Brunswick

The following pages highlight the main features of New Brunswick's EIA process. Flowcharts summarizing the key steps are shown on pages 8 and 9.

## Registration

As stated in Section 5(2) of the *EIA Regulation*, proponents of undertakings listed in [Schedule "A" of the Regulation](#) (page 10 of this Guide) must register their proposals with the Department of Environment and Local Government (DELG) for review. This is accomplished by submitting a "registration document" that reports on the results of an EIA study conducted by the proponent and includes details of the proposed undertaking, its potential environmental impacts, and how significant impacts may be addressed.

It is the proponent's responsibility to provide a full project description by ensuring that the registration document addresses all the requirements outlined in the *Registration Guide* (page 11). Full and accurate descriptions of the location, proposed activities, existing environment, potential impacts, and proposed mitigation are required. The registration document is prepared at the proponent's expense. Depending on the complexity and/or setting of the project, preparation of the registration document may require the use of specialist consultants hired by the proponent.

A registration document must be submitted and a positive decision rendered by the Minister of DELG (the Minister) in addition to any other applicable provincial permits, approvals or licences before any physical work can be initiated. It is in the best interest of the proponent to submit the registration document early in the planning process so that there is sufficient time to address identified concerns.

## Language Requirements

Proponents are given the option of submitting the registration document in English or French but should be aware that translation may be necessary depending on the language capacity of the area residents and/or those who could potentially be impacted by the project.

## Determination Review

All registered projects undergo a Determination Review, which is an EIA aimed at identifying and evaluating environmental impacts and mitigation proposed to reduce or eliminate significant impacts. The review determines whether: a) a *Certificate of Determination* can be issued (i.e., the project can proceed subject to terms and conditions); or b) a Comprehensive EIA is required (i.e., the proponent must prepare a more detailed EIA submission that is subject to enhanced public, stakeholder and First Nation engagement); or c) the proposal is denied with the assent of the Lieutenant-Governor-in-Council (i.e., the project is not permitted to proceed).

The Determination Review is coordinated by a Project Manager assigned by the Environmental Impact Assessment Branch (EIA Branch) and is completed with the assistance of a specially constituted Technical Review Committee (TRC). The TRC is comprised of experts and specialists from federal, provincial, and local municipal government departments and agencies.

The Determination Review is an interactive and iterative process and includes opportunities for clarification of specific technical issues. Proponents are generally asked to provide supplementary studies and information to address identified concerns and questions.

## Requests for Additional Information

After reviewing a registration document, the TRC will typically require additional information. In such cases, the EIA Project Manager will send a letter requesting additional information to the proponent typically within 30 days of registration. It is the proponent's responsibility to ensure that the required information is provided in a timely manner unless alternative arrangements have been made with the Department. Failure to do so may result in the Department's closure of the EIA file.

## Public and First Nation Involvement during the Determination Review

Open and transparent public involvement is required for all registered projects. In order to fulfill the requirements of Section 6(1) of the *EIA Regulation*, the proponent must demonstrate that the affected public and stakeholders have been given the opportunity to review and comment on the proposed undertaking. Proponents must also engage First Nations as appropriate (see [Duty to Consult First Nations](#) on page 6 of this Guide).

The proponent must indicate how any resultant questions and concerns were addressed. Additional information about public involvement during the Determination Review is provided in [6.0 Description of Public and First Nations Involvement](#) (page 23) and [Appendix "C"](#) (page 37).

## The Minister's Decision

According to Section 6(3) of the *EIA Regulation* the proponent must be notified of the Minister's decision within 30 days from the time that the Minister has received sufficient information about the undertaking and its potential impacts. This includes: a) a registration document acceptable to the EIA Branch; b) responses to subsequent questions from the TRC (which could involve several iterations); and c) a satisfactory summary of engagement with First Nations, the public and potentially affected stakeholders including responses to identified concerns.

The total length of the Determination Review is typically longer than 30 days because the proponent often needs additional time to assemble the above information. However, each time a proponent submits a response to a letter request, the Project Manager should meet the 30 day turnaround time (provided all TRC members can comply with this deadline).

## Possible Outcomes

### Certificate of Determination:

If the Minister decides that significant project related negative impacts are unlikely or that potential negative impacts have been reduced or eliminated through changes made to the project or proposed mitigative measures as a result of the Determination Review, a *Certificate of Determination* is issued and the project is permitted to proceed subject to Conditions. These Conditions will be posted on the public registry. All other relevant provincial, federal or municipal regulatory requirements must be complied with and all required permits and approvals must be obtained (see [Examples of Other Permits, Licences and Approvals](#) on page 32). A **financial security** may be required as a *Condition of Determination*. If the proponent does not follow these requirements, the Minister may issue an order directing the discontinuance of the project until compliance with all applicable Conditions is achieved.

Project Denied: If the Minister decides that the project should not proceed, it may be denied with the assent of the Lieutenant-Governor in Council (i.e., the Provincial Cabinet).

Further Study Required: If the Minister determines that a Comprehensive Review is required to further assess the nature and significance of the potential impacts, written notice is provided to the project proponent to this effect and a public notice would subsequently be placed in the *Royal Gazette*.

## Registry of Submissions and Decisions

A registry of EIA submissions, decisions and proposals that are under review is maintained on the DELG EIA website. Visit [www.gnb.ca](http://www.gnb.ca) and follow the links to "Departments" > "Environment and Local Government" > "Environmental Impact Assessment". Select "[Projects Under Review](#)". The registry also contains links to project specific information including registration documents.

## **Comprehensive Review**

If the Minister determines that a Comprehensive (previously known as Full) EIA is necessary, the TRC continues to function and the EIA Project Manager continues to co-ordinate the review.

## **Developing the Study Guidelines - A Public Procedure**

The TRC is responsible for formulating draft guidelines for the Comprehensive EIA. These guidelines identify the important environmental issues that must be considered in further assessing the impacts of the proposal. They also specify the general approach a proponent must follow in conducting the Comprehensive EIA, consistent with current and common EIA methodology.

The Minister must issue the draft guidelines for public comment within 60 days of announcing that a Comprehensive EIA is required. The Minister then provides a period of 30 days for receipt of comments on the draft guidelines. Anyone may provide written comments to the Minister during the review period. Once these comments have been considered, the Minister will issue final study guidelines to the proponent within 60 days of releasing the draft guidelines.

## **Terms of Reference**

Following receipt of the final EIA guidelines, the proponent must provide the Minister with Terms of Reference (TOR) that describe in detail the approach that will be used by the proponent's study team in responding to the study guidelines and conducting their investigations. There may be a requirement for the proponent to seek public input on the TOR.

## **Conducting the Comprehensive EIA Study**

The Comprehensive EIA is accomplished by gathering additional information about the undertaking's socio-economic, biological and physical setting, conducting field investigations as required, and further evaluating potential interactions between the environment and the activities associated with the undertaking. The proponent is responsible for the cost of the study that, in most cases, is carried out by a team of consultants offering a variety of technical expertise.

In addition to considering impacts and mitigative measures, the Comprehensive EIA must include a detailed description of the undertaking, an evaluation of alternatives, as appropriate, and a description of methods for evaluating the accuracy of impact predictions. The study is expected to identify methods of enhancing positive impacts and minimizing negative impacts resulting from the undertaking. During the study, proponents are also required to consult with First Nations, stakeholders and potentially affected members of the public in accordance with the consultation requirements set out in the final EIA Guidelines.

## **The Draft EIA Report**

The results of the Comprehensive EIA are compiled in a draft EIA Report. The report contains information obtained through studies examining the predicted impacts of the project, their effect on the environment and the proposed mitigative measures. The time and effort required to produce this report will vary from proposal to proposal and depends on such factors as the complexity of the undertaking, the complexity of the biological, physical and socio-economic environment, the number of First Nations, stakeholders and public that must be meaningfully consulted during the study and the issues they raise, the extent of the required field investigations, and the nature of the scientific evaluations required to assess potential impacts.

## **Review of the Draft EIA Report**

Once the draft Report is received by the Minister, it is turned over to the TRC for detailed examination. The TRC's responsibility at this stage is to determine whether the document has adequately addressed the issues raised in the final EIA Guidelines. Review of the draft EIA report is an interactive process and includes opportunities for clarification of specific technical issues through dialogue between the TRC and the proponent.

If, on the advice of the TRC, the Minister is satisfied that the EIA Report is adequate, the next step is to further involve the public in discussing the impacts it describes. This public participation process is described below.

If on the advice of the TRC, the Minister determines that the EIA Report does not adequately address the final EIA Guidelines, the Minister will advise the proponent of the deficiencies that must be addressed. To further advance the review, the proponent must make the required revisions to the EIA Report, including any necessary supplemental field work or investigations. Once this work is complete and revisions have been made to the draft Report, the review is reactivated and proceeds until the Minister is satisfied that the final Report adequately meets the final EIA Guidelines.

### **Public Consultation/Participation Process**

Once the EIA Report is officially accepted by the Minister, the proponent is required to submit 30 copies to the Minister in both official languages. The second and more comprehensive opportunity for public involvement in the EIA process then begins.

A summary of the final EIA report is prepared by DELG on behalf of the Minister to assist members of the public in becoming familiar with the information it contains. A General Review Statement is also prepared summarizing comments from the TRC during the review, and how identified technical concerns were resolved.

Within 30 days of receiving the final EIA Report from the proponent, the Minister releases the EIA report along with a Summary of the report and the General Review Statement for public review and comment. The documentation is made available to the public as directed by the Project Manager and as required by the *EIA Regulation*. At the same time, the date(s) and location(s) of one or more public meetings to discuss the EIA documentation are announced by the Minister through various media, including notification in the *Royal Gazette*.

Following the release of the EIA documentation, a minimum of 30 days must be provided for public review and comment and the public is invited to submit written briefs in response to the study.

### **Public Meetings**

Following the minimum 30 day review period, at least one DELG led public meeting is held near the location of the proposed project. The purpose of the meeting is to provide all interested parties with an opportunity to make comments, raise concerns, or ask questions about any matter covered in the final EIA report as well as any comments on the proposed project or the EIA process in general. Note that this meeting is in addition to any meetings that may have been held by the proponent during the Determination Review.

A Panel of independent experts may be retained by government to chair the meeting, receive public input, and respond to questions and concerns. The proceedings are recorded and a verbatim transcript is produced for subsequent study by the Minister. The Panel then prepares a report on public involvement, reflecting input gathered at the public meeting(s) as well as written comments submitted throughout the public comment period.

### **Additional Comments**

After the last public meeting, an additional period of 15 days is set aside for members of the public, First Nations, stakeholders or any interested party to submit further written comments regarding the proposal.

### **Summary of Public Participation**

At the end of the 15-day period, a summary of public participation is prepared by DELG based on the written briefs submitted to the Minister, transcripts of public meetings, and any additional comments received following the final public meeting.

This summary is released publicly, and copies are sent to every identified person who participated in the public meeting(s). At the same time, the full package of EIA documentation, including the public participation summary, is forwarded to the Minister for final consideration.



## **The Final Decision**

After receiving all relevant information generated by the Comprehensive Review, the Minister will submit a report and a recommendation concerning the proposal to the Lieutenant-Governor in Council. At this point, it becomes the responsibility of the Lieutenant-Governor in Council to consider the report, as well as the recommendation of the Minister, and either issue an approval or deny an approval for the undertaking.

## **Terms and Conditions**

If an approval is granted, terms and conditions may be stipulated that the proponent must adhere to in implementing the undertaking. The Lieutenant-Governor in Council may subsequently suspend or revoke an approval if the proponent violates the terms and conditions. Similarly, any approval previously given may be rescinded if the Lieutenant-Governor in Council has reason to believe the proponent has failed to disclose relevant facts or submitted inaccurate information.

An EIA approval does not mean that the undertaking is exempt from other applicable statutory requirements, such as the provisions of the *Clean Environment Act*, the *Clean Air Act*, or any other relevant provincial, federal municipal regulatory requirements applicable to the undertaking (see [Examples of Other Permits, Licences and Approvals](#) on page 32).

## **Monitoring Committee**

When an approval is issued, the Minister may require the formation of a committee to track the progress of an undertaking and monitor its impact on the environment including the success of any required mitigation measures.

## **Administration of the Process**

The Department of Environment and Local Government is committed to ensuring that its administration of the *EIA Regulation* is based on timeliness, transparency and active cooperation with all parties concerned. Staff from the EIA Branch is available to assist all interested parties/EIA participants in understanding their opportunities and responsibilities. Contact information is provided on page 1 of this guide.

## **Harmonization of Federal and Provincial EIA Requirements**

The Province of New Brunswick and the Government of Canada work co-operatively as much as possible in the review of proposals undergoing EIA. In preparing this Registration Guide an effort has been made to ensure that the documentation submitted by the proponent will be suitable to address the EIA requirements of both levels of government. Information about the *Canadian Environmental Assessment Act, 2012* is available at the Canadian Environmental Impact Assessment website (see [Examples of Other Permits, Licences and Approvals](#) on page 32). Please note, the federal process is currently being revised and potential regulatory changes are anticipated in 2017/2018.

## **Duty to Consult First Nations**

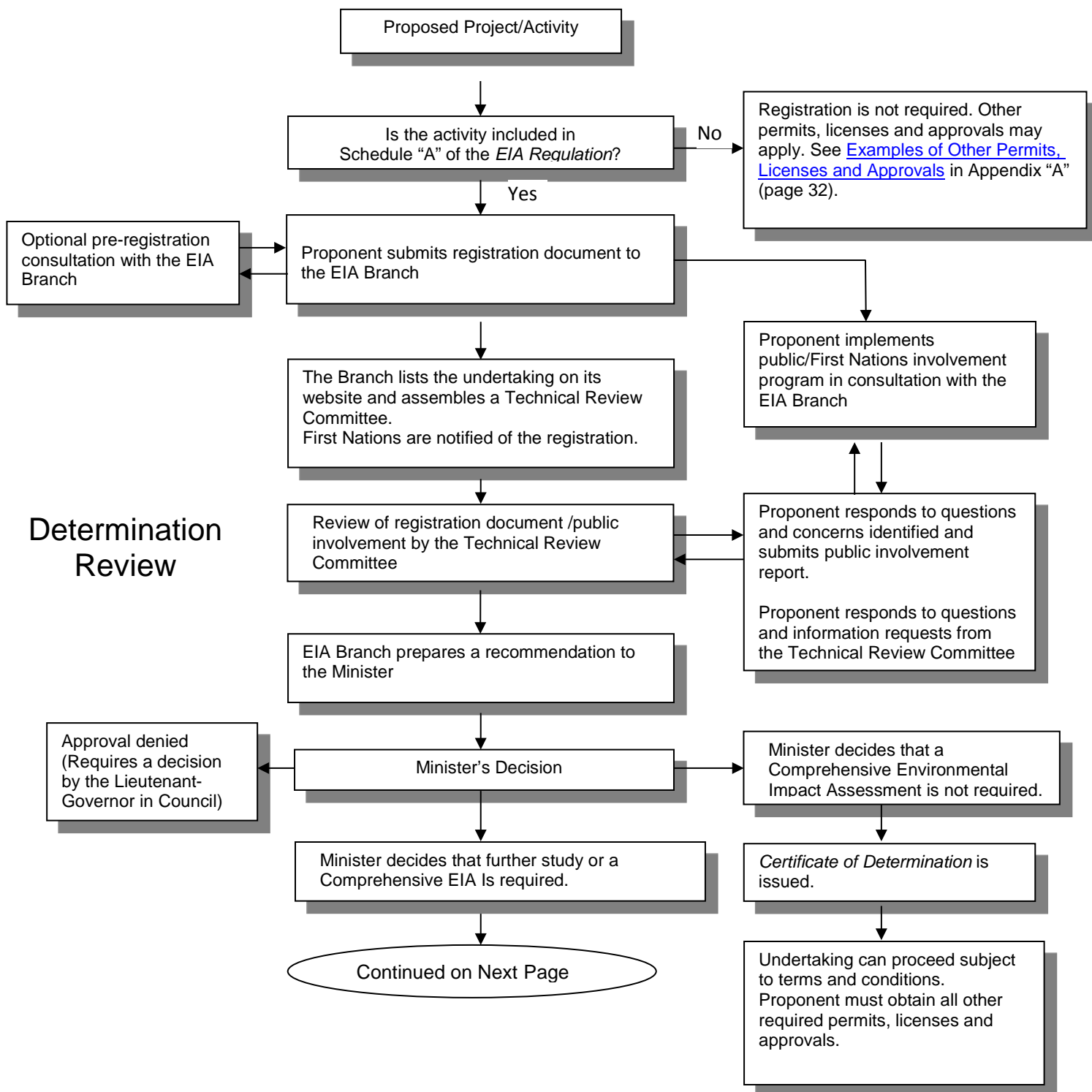
Section 35 of the *Constitution Act, 1982* recognizes and affirms Aboriginal and treaty rights in Canada. Aboriginal rights derive from the long-standing use and occupancy of Canada by Aboriginal people prior to European settlement. These include the right to hunt, trap, fish, gather and follow Aboriginal customs, practices and traditions on ancestral lands. Treaty Rights include the specific rights of the Aboriginal peoples embodied in the treaties with the governments of Britain and Canada.

As a result of decisions of the Supreme Court of Canada in 2004 and 2005, the Crown (i.e., provincial and federal governments) have a duty to consult and, where appropriate, accommodate First Nations when it contemplates an action or a decision that might adversely impact aboriginal rights, treaty rights, or aboriginal title. The Province has prepared a *New Brunswick Duty to Consult Policy*. It outlines the types of decisions that may trigger the duty to consult, the roles and responsibilities of the Federal and Provincial Governments and First Nations, and provides guidance to ensure that adequate consultation has taken place on matters that may affect Aboriginal and treaty rights. The Aboriginal Affairs Secretariat is a member of the EIA TRC and assists in

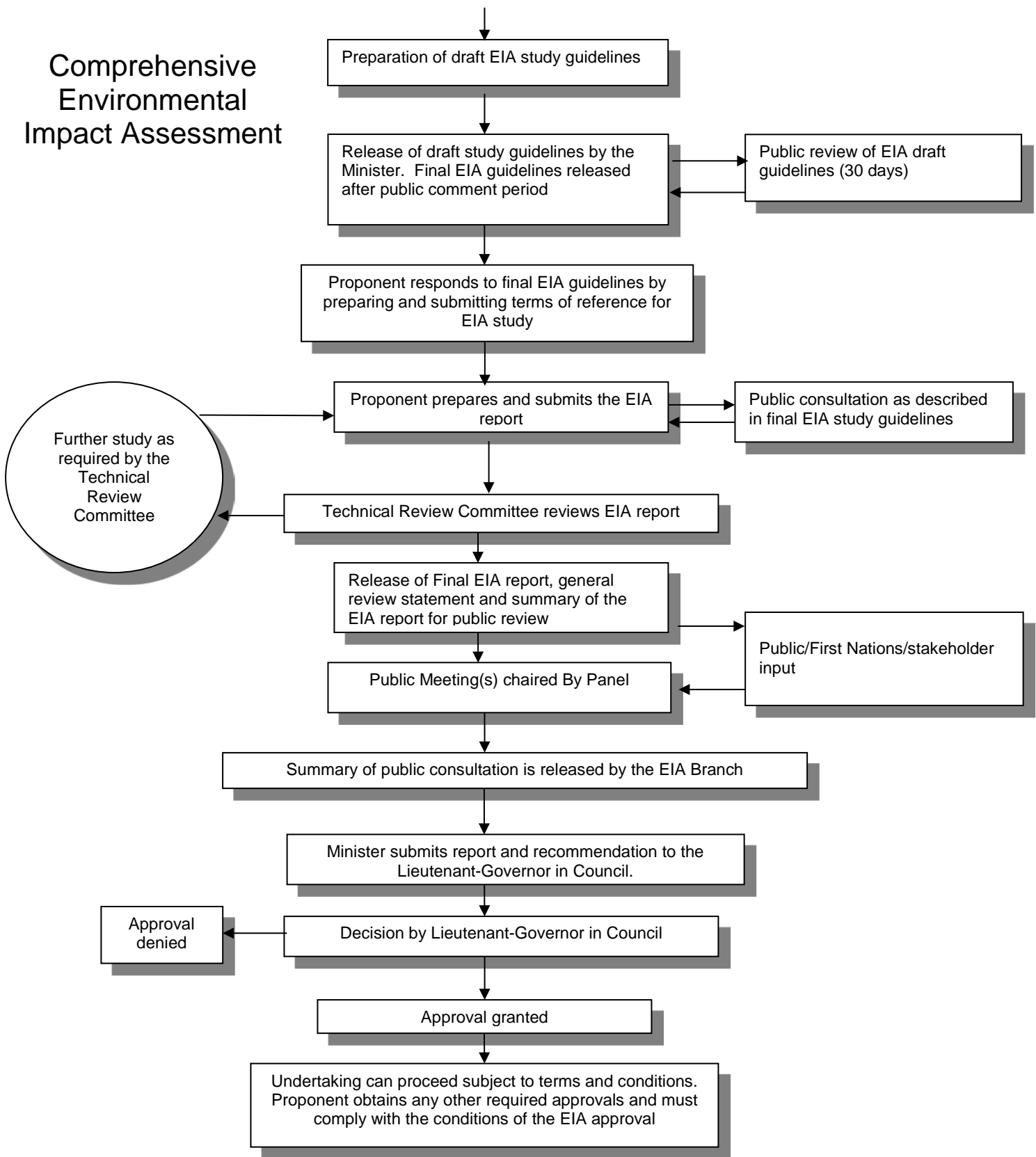
the implementation of this Policy which can be obtained by visiting [www.gnb.ca](http://www.gnb.ca) and following the links to "Departments" > "Aboriginal Affairs" > "[Government of New Brunswick Duty to Consult Policy](#)".

Proponents of undertakings that require registration under the *EIA Regulation* are encouraged to engage First Nations as early as possible. Proponents should: a) thoroughly document this engagement; b) share this documentation with the EIA Branch; and c) advise the Branch of any issues that were identified. The Branch will then use this information to inform its actions regarding government's duty to consult. It is recognized that some issues, such as those related to asserted Aboriginal and/or treaty rights, are beyond the scope of the proponent's involvement in a particular undertaking. The Province is committed to engaging with First Nations on such matters.

## The EIA Process in New Brunswick



**The EIA Process in New Brunswick (Continued)**



Comprehensive Environmental Impact Assessment

# Projects that must be Registered

The enterprises, activities, projects, structures, works or programs specified in *Schedule A* (below) are undertakings for the purposes of the *Environmental Impact Assessment Regulation* and must be registered with the EIA Branch, Department of Environment and Local Government, for review.

A significant modification, extension or abandonment of an existing undertaking must also be registered for review.

## Schedule “A”

- (a) all commercial extraction or processing of a mineral as defined in the *Mining Act*;
- (b) all electric power generating facilities with a production rating of three megawatts or more;
- (c) all water reservoirs with a storage capacity of more than ten million cubic metres;
- (d) all electric power transmission lines exceeding sixty-nine thousand volts in capacity or five kilometres in length;
- (e) all linear communications transmission systems exceeding five kilometres in length;
- (f) all commercial extraction or processing of combustible energy-yielding materials, except fuelwood;
- (g) all offshore drilling for, or extraction of, oil, natural gas or minerals;
- (h) all pipelines exceeding five kilometres in length, except
  - (i) water, steam or domestic wastewater pipelines, and
  - (ii) pipelines or pipe lines that are the subject of an application under the *Gas Distribution Act* or the *Pipe Line Act*;
- (i) all causeways and multiple-span bridges;
- (j) all major highway projects involving either a significant length of new highway alignment or a major upgrading or widening of an existing highway resulting in a change in its intended use or classification;
- (k) all facilities for the commercial processing or treatment of timber resources other than fuelwood, except maple sugaries, shingle mills and sawmills producing less than one hundred thousand foot board measure annually;
- (l) all programs or commercial ventures involving the introduction into New Brunswick of plant or animal species which are not indigenous to New Brunswick;
- (m) all waste disposal facilities or systems;
- (m.1) all disposal, destruction, recycling, reprocessing or storage of waste that originates outside New Brunswick and all facilities or systems for the disposal, destruction, recycling, reprocessing or storage of such waste;
- (n) all sewage disposal or sewage treatment facilities, other than domestic, on-site facilities;
- (o) all provincial or national parks;
- (p) all major recreational or tourism developments, including developments which consist of changing the use of land so that it is used for recreational or tourism purposes;
- (q) all ports, harbours, railroads or airports;
- (r) all projects involving the transfer of water between drainage basins;
- (s) all waterworks with a capacity greater than fifty cubic metres of water daily;
- (t) all major residential developments outside incorporated areas;
- (u) all enterprises, activities, projects, structures, works or programs affecting any unique, rare or endangered feature of the environment;
- (v) all enterprises, activities, projects, structures, works or programs affecting two hectares or more of bog, marsh, swamp or other wetland;
- (w) all facilities for the processing of radioactive materials.

# Registration Guide

The following pages describe the information that must be submitted to the EIA Branch, DELG in order to register an undertaking as required by Section 5 (2) of *The Environmental Impact Assessment Regulation* under the *Clean Environment Act*.

Additional information on any aspect of the EIA process including preparing an EIA registration document for submission can be obtained by contacting the EIA Branch, DELG using the contact information provided on page 1.

## Pre-EIA Registration Consultation

Prior to preparing an EIA registration document, it is strongly recommended that proponents contact the EIA Branch in order to obtain advice and guidance on the contents of the registration document; and provide the Branch with advance notice of the anticipated date of the submission to help ensure a timely review. If appropriate, the Branch may also arrange for meetings between the proponent and staff from various review agencies, in order to clarify their requirements.

## Sector-Specific Guidelines

Sector-specific guidelines are available for some activities and should be consulted by proponents as applicable when preparing a submission. These guidelines list additional information requirements, beyond the generic requirements listed in the following pages. They can be obtained from the EIA Branch or downloaded directly from the Department's [EIA website](#) (see page ii of this Guide).

Sector-Specific Guidelines	
Airports	Mining and Mineral Extraction
Aquaculture Facilities	Peat Development
Constructed Wetlands	Ports, Harbours and Wharves
Cranberry Operations	Timber Processing
Dams, Impoundments and/or Causeways	Waste Disposal Facilities
Decommissioning of Existing Facilities	Waste Importation
Golf Courses	Wastewater Treatment
Linear Facilities (e.g., roads, pipelines, etc.)	Waterworks and Water Supply
Major Residential Developments	Wind Turbines

## Complete and Accurate Submissions

EIAs are ideally conducted early in the project planning stages, at the conceptual design stage and it is acknowledged that complete engineering details of a project may not be available at the time of registration. However, full and accurate descriptions of the location, proposed activities, existing environment, potential impacts, and proposed mitigation must be included in the registration document.

A Project Manager with the EIA Branch is assigned to each EIA review (project) and will review the registration document for completeness prior to circulation to the Technical Review Committee (TRC). Should information be lacking, the Project Manager will notify the proponent of the deficiencies and the proponent will be given the opportunity to provide a revised submission. This will ultimately save time for both the proponent and the TRC.

Any inaccurate or deficient information discovered after an undertaking has been registered could result in delays in processing the registration and could result in the issuance of an order by the Minister directing the discontinuance of the undertaking. It is in the proponent's best interest to provide a complete and accurate submission.

## Phased EIAs

Subject to permission from DELG, registration for some undertakings (e.g., those having exploratory or provisional components), may be allowed to occur in phases. This “Phased EIA” approach allows a proponent to gather information that will help determine the design, location or feasibility of an undertaking before submitting a complete registration document. Permission to move from one phase to the next is provided by a letter from DELG based on a satisfactory review by members of the TRC of submissions relevant to each phase of work. Proponents planning to submit their registration in phases must first contact the EIA Branch to confirm that this approach is appropriate for the proposed undertaking.

## Public Access to EIA Submissions

When the EIA Branch has received a complete and acceptable registration document, the undertaking will be registered and the document will be circulated to the TRC for review and comment.

All information contained in the registration document and subsequent submissions are considered to be public information unless it is protected under the *Right to Information and Protection of Privacy Act*. The registration document will be posted in a publically-available register located on the DELG EIA website (see page 1). The proponent must also be prepared to make this information available to stakeholders, members of the public and First Nations on request. Additional information about the *Right to Information and Protection of Privacy Act* (RTIPPA) is available at the [Right to Information and Protection of Privacy web page](#). If there is any information in the registration document that the proponent considers to be proprietary or confidential, this must be communicated to the EIA Branch prior to registration and rationale must be provided. The request will be assessed as per RTIPPA.

## Registration Fees

Registration fees are intended to cover a portion of the costs of administering the *Environmental Impact Assessment Regulation*. Fees are non-refundable and must accompany the submission of the registration document. Cheques should be made payable to the Minister of Finance for the Province of New Brunswick. The fee schedule is provided below.

Registration Category	Undertakings*	One-time Fee
1	Paragraphs a, b, c, d, f, g, j, k, m, m.1, and w of Schedule "A" of the Regulation	\$5,500
2	Paragraphs e, h, i, n, o, and q of Schedule "A" of the Regulation	\$2,750
3	Paragraphs l, p, r, s, t, u, and v of Schedule "A" of the Regulation	\$1,100

\* See *Schedule A* on page 10 of this Guide.

The following proponents are exempt from the above fees: a) a municipality; b) a band or a council of a band as defined by the federal *Indian Act*; c) a Canadian charitable organization registered under the federal *Income Tax Act*; and d) an individual who proposes to carry out an undertaking for the purposes of constructing a residence, maintaining, renovating, or making additions to a residence, or carrying out landscaping or the construction of garages, swimming pools, ponds, or other major structures for domestic use located on a parcel of land upon which a residence is or will be located.

## Preparing the EIA Registration Document

The following pages describe the information that must be provided in order to register an undertaking under the *EIA Regulation*. The information in the registration document may be presented in a different sequence and format as long as the issues and items described below are addressed. It is important to remember that a thorough, clear and well-organized registration document generally results in a more timely review.

Proponents should read through Sections 1.0 to 10.0 (below) along with any relevant sector-specific guidelines before commencing preparation of the registration document.

The EIA Branch recognizes that the scope of the assessment is very project and context specific and therefore amount of information required in a registration document is a function of the size, complexity, the amount of construction/disturbance and the location of the project site/activities in relation to valued environmental features. The Branch has the ability to waive certain information requirements deemed not applicable (e.g., a reduced description of environmental features may be acceptable for undertakings that will be located within an area of existing development as opposed to a previously undeveloped site). If a proponent believes that any of the information requirements listed in this guide are not applicable for a particular proposal, they should clearly state in the registration document why the requirement is not applicable. It is advisable to discuss this approach with the EIA Branch in advance of the submission.

Proponents should also note that:

- The registration document should include all relevant information. If portions of the required information are contained in other documents or reports, copies of the relevant sections of these documents must be included within the submission even if these documents have previously been submitted to the Department; and
- Proponents registering a project that is a modification, extension or abandonment, of an existing or previously registered undertaking, should consult with the EIA Branch to confirm the required content of the registration document.

### 1.0 THE PROPONENT

#### a) **Name of Proponent:**

In the case of a joint venture, limited partnership, or other business venture between two or more corporate entities, the legal names of all parties to the undertaking should be provided.

#### b) **Address of Proponent:**

Provide complete contact information including email, mailing address and telephone number.

#### c) **Principal proponent contact** (e.g., CEO, facility manager, etc.):

Name, official title and contact information:

#### d) **Principal Contact Person for purposes of EIA** (e.g., consultant etc.):

Name, official title and telephone number (e.g., name of proponent/consultant)

#### e) **Property Ownership:**

Identify the property owner if different from the proponent. Note that if the proponent is not the owner of the land, written consent of the landowner should be provided to the EIA Branch unless the proponent indicates that: a) the project is proceeding under a right of expropriation granted by legislation, or b) in the case of linear facilities (power transmission line, pipeline, highway, etc.) the proponent is still in the process of lease or purchase negotiations.



If the project will be located on or affect Crown Land (including Crown Reserve Roads, coastal lands below the high water mark and most lake and river beds), the proponent must indicate the extent of the affected Crown Land. The appropriate application must be submitted to the Department of Energy and Resource Development (ERD). As part of the registration, an acknowledgement of the application from ERD and confirmation from ERD that the subject Crown Lands can be made available subject to final review and various terms and conditions should also be included. For proposals where alternative sites or corridors are being considered that are located on or affect Crown Land, the registration document must at a minimum demonstrate that consultation with ERD has been initiated (see [Examples of Other Permits, Licences and Approvals](#) on page 32).

## 2.0 THE PROJECT DESCRIPTION

a) **Project Name:**

b) **Project Overview:**

This should be a written description sufficiently complete to allow the EIA Project Manager to readily identify the scope of the undertaking and to determine which agencies should be represented on the Technical Review Committee (TRC).

c) **Purpose/Rationale/Need for the Undertaking:**

Describe the market potential, benefit to society, economic benefits, job creation benefits, consumer and/or industrial demand, and other relevant issues that make the proposal viable and desirable for the local and/or the New Brunswick economy. If the undertaking is being conducted to remedy a specific environmental, social or economic problem (e.g., a risk to public safety, a deteriorating facility or structure, an impaired ability to achieve an economic, social or environmental benefit, flooding, erosion, unstable soils, etc.), details of the problem should be provided.

Include a brief discussion of the alternatives that could fulfill the same goal or provide the same benefits or results as described above (alternative designs, alternative actions, etc.). Consideration of the results of the “do-nothing” approach should also be provided; in other words what would be the consequences/results of not implementing the undertaking? The rationale for choosing the selected alternative should be clearly stated. If there are no reasonable alternatives to the proposal, this should be stated and justified in the registration document.

d) **Project Location:**

A detailed description of the geographic location must be provided and must include the following elements:

- The parcel identification numbers (PIDs) as referenced by Service New Brunswick (found at the top of the Assessment and Tax Notice);
- The street address (if available), community name, parish, and county;
- The latitude and longitude; and
- A map showing the location of the site relative to well-known existing features such as residential areas, roads, railways, and airports. A 1:50,000 scale map available from Service New Brunswick (see Appendix “A” on page 27) can be used as the basis of the location plan. A GIS shape file of the project site should be provided to help facilitate the technical review.

In the case of modifications to existing facilities or structures, a description of the location of the proposed modification relative to current facilities and structures must also be provided. This can be done by showing the location of the footprint (limits, borders or edges) of the modification in

comparison to existing facilities and structures.

e) **Siting Considerations:**

Discuss the considerations that were taken into account in choosing the location of the undertaking, including but not limited to the following:

- The specific siting requirements of the proposed undertaking (e.g., land availability and ownership, access to utilities such as water supply and electricity, access to transportation, proximity to other required or desirable features, site gradients, soil capability, etc.);
- A brief discussion of the alternative locations considered during the site selection process, and route selection process (if applicable) and the reasons why these alternative locations were rejected. If there are no reasonable alternative sites or routes, this should be stated and justified in the registration document;
- A list of any ecological and cultural considerations that were taken into account as part of the site selection and/or route selection (e.g., avoidance of sensitive natural features and sensitive land uses, etc.); and
- Local planning authorities (where they exist) should be consulted prior to site selection;

In addition, please note the following:

- In areas where archaeological resources may be present, the Department of Tourism, Heritage and Culture might require that a [Heritage Resource Impact Assessment](#) (HRIA) be conducted by a licensed professional archaeologist in accordance with guidelines established by the Archaeological Services Branch. The results must be submitted to the Archaeological Services Branch for review. Archaeological Services may identify measures to minimize the potential to impact any important archaeological resources identified as a result of the HRIA. If the archaeological resource is extensive or is of exceptional import, Archaeological Services may recommend either site-specific mitigation measures or avoidance of the area completely. The proponent is therefore encouraged to conduct the HRIA as early as possible in the planning phase of the undertaking;
- Built heritage resources generally include buildings, structures, sites and cultural landscapes. Impacts to built heritage resources must be avoided or minimized. Alterations to protected provincial historic sites require approval from the Department of Tourism, Heritage and Culture (see [Examples of Other Permits, Licences and Approvals](#) on page 32);
- If activities related to the project will be located within 30 metres of a wetland (see link to the Wetlands Home Page in [Appendix "A"](#)) the proponent is advised to consult with DELG prior to submitting the registration document. For additional information, please contact the Source and Surface Water Management Branch at (506) 457-4850 or by email at [elg/egl-info@gnb.ca](mailto:elg/egl-info@gnb.ca).
- If the project will be located within Zone A or B as identified in [A Coastal Areas Protection Policy for New Brunswick](#), the proponent is advised to consult with the appropriate Regional Wetland Biologist. For additional information, please contact the Source and Surface Water Management Branch at (506) 457-4850 or by email at [elg/egl-info@gnb.ca](mailto:elg/egl-info@gnb.ca).
- Normally, the appropriate zoning is in place prior to EIA registration, however there are some situations where rezoning is required for project implementation. In these situations the proponent should consult with DELG prior to submitting the registration document.

f) **Physical Components and Dimensions of the Project:**

This description should include:

- A site plan to scale showing the parcel identification numbers(s) and the proposed location(s) of the project's various physical components, buildings, access roads, infrastructure, areas to be disturbed, etc. These locations must be shown relative to the environmental features on and near the site (see [3.0 – Description of the Existing Environment](#) on page 19);
- A recent colour aerial photograph of the location (See Appendix "A" for sources) showing the photo reference number and scale, and annotated with the site boundaries and the various physical components as described above. The annotated air photo can also serve as the site plan (above) provided that all relevant information required for the site plan is clearly shown and the photo image is not obscured.
- An artist's conceptual drawing of the major buildings or structures (if available and applicable);

The following information is typically required and may be indicated on the site plan or annotated aerial photograph or provided in writing as appropriate (please note that all units must be consistent and should be metric if possible):

- The dimensions of the subject property (i.e., length of property boundaries);
- The total area of the site;
- The total area of the portion of the site to be developed (if different from the above);
- A description of any required land acquisition (e.g., temporary or permanent easements, lease, rental or purchase of land);
- A description of all physical components, structures and infrastructure (temporary or permanent) required for the project, regardless of who will be responsible for their construction (e.g., buildings, storage facilities, pipelines, pump houses, sewers, watermains, power transmission lines, transportation facilities (e.g., temporary or permanent access roads, parking areas, driveways, docks, wharfs, loading bays, etc.), other structures, etc.);
- The size of the main component(s) (e.g., length of roads, surface area and total floor area of buildings, etc.);
- A description of any proposed external lighting (e.g., light standards for parking areas and roads, security lighting, hazard lighting on high structures such as emission stacks, antennas, towers, etc.);
- The estimated total area of new impervious surfaces (roof-tops, asphalt roads, asphalt parking lots, etc.);
- A description of any set-backs, buffers or fences that will be incorporated in the site design, including the set-backs between any proposed works and sensitive natural or cultural features (including but not limited to watercourses, wetlands, adjacent properties, dwellings, schools, parks, etc.);
- A description of any off-site lands, facilities and processes that will be affected or required during the construction, operation or maintenance of the undertaking (e.g., due to off-site processing, storage, transportation of raw materials or completed products, temporary work room or lay

down areas, etc.); and

- A description of the types of activities that may be directly associated with, or may occur as a result of, the construction, operation or maintenance of the undertaking (e.g., increased vehicular traffic, transportation of raw materials or completed products, etc.).

g) **Construction Details:**

- Identify the approximate duration of the total construction period including site preparation, construction and commissioning. If construction will be staged, please list the approximate order of each stage and its approximate duration (e.g., Step 1: access road construction, 2 days; Step 2: site clearing and grading, 1 week; Step 3: foundation construction and framing, 4 weeks; etc.);
- State the estimated hours of construction (e.g., 7 a.m. to 5 p.m., Monday to Saturday);
- List the equipment and construction procedures that will be used to construct the major features of the undertaking (e.g., excavation of trench using backhoe, site clearing using a bulldozer, placing of shoreline erosion protection using barge-mounted crane, blasting of bedrock, etc.);
- Identify the proposed date of first physical construction-related activity on site and include a proposed construction and commissioning schedule;
- Indicate the number of employees required during construction;
- Identify potential sources of pollutants during the construction period(s), including noise, light, airborne emissions, liquid effluents, hazardous materials, and solid waste materials;
- Indicate the ultimate fate of all wastes, emissions and effluents generated during construction, including their discharge/disposal locations, if applicable;
- Provide details of how the site will be accessed, and how, where and when the access will be constructed and controlled (if required) including details of any required detours or other impacts on movements of vehicles and people;
- Provide details on clearing and grubbing activities and the fate of any topsoil and merchantable timber removed during these activities;
- If numerous truckloads of material or equipment are required, a transportation plan may be necessary;
- Identify the origin of any required fill materials (rock fill, topsoil, granular materials etc.); and
- Provide a description of any construction/excavation/grading required in or near sensitive areas such as wetlands, watercourses, wildlife habitat, Environmentally Significant Areas, or other sensitive areas identified under [3.0 – Description of the Existing Environment](#) (see page 19).

h) **Operation and Maintenance Details:**

Provide the following information using maps, diagrams, tables, flow charts, or written descriptions, as appropriate:

- Describe the key features of the operation, (i.e., all routine activities, processes, and operations, including any pollution control or waste treatment equipment or facilities, and including all anticipated routine maintenance requirements and activities, and their timing);
- State the estimated daily water use and the source of the water supply;

- State the design capacity of any pumps or pipelines for conveying water, wastes, product, etc.;
- Describe the proposed production capacity;
- Identify the proposed mode of production (i.e., batch, continuous, seasonal, etc.);
- Indicate the number of employees required during operation;
- Identify the estimated period of operation and number of shifts (e.g., 1 shift, 8 hours per day, 5 days per week);
- State the estimated life span or duration of the main facilities and activities;
- If applicable, identify the total area of land to be disturbed annually for the duration of activities related to the undertaking (e.g., for peat extraction, quarrying, etc.);
- Provide a description of the type and quantity of all raw materials, intermediate products, final products and by-products, including waste products such as stack discharges, other airborne fumes, fugitive emissions, liquid effluents, hazardous materials, solid waste, etc.;
- Provide a description of all storage locations for raw materials, intermediate products, finished products, and wastes (e.g., storage tanks, bins, hoppers, storage yards, etc.);
- Describe the energy requirements and how the required power will be obtained or brought to the site (hydro transmission line, gas pipeline, generator, oil tanker truck, etc.);
- Describe the sources of all raw materials used during routine operations;
- Indicate the ultimate fate of all wastes, emissions and effluents including their discharge/disposal locations if applicable; and
- Indicate the number of trucks/vehicle traffic that would arrive and/or leave the site daily.

i) **Future Modifications, Extensions, or Abandonment:**

Note that any modification, extension, or abandonment of an existing or previously registered undertaking will normally require a separate registration if the details of those activities are not known at the time of registration. For new undertakings, details on decommissioning/abandonment at the end of the project's life are typically addressed with a Condition requiring submission and approval of a decommissioning plan prior to implementation should the project receive EIA approval. To confirm assessment requirements for such proposals, please contact the EIA Branch.

For some types of new undertakings, site closure or rehabilitation plans must be submitted at the time of registration. Where applicable, this requirement is indicated in the appropriate [sector-specific guidelines](#) (see page 11 of this Guide).

j) **Documents Related to the Undertaking:**

Please provide:

- Details of previous EIA registrations (e.g., project name, submission date(s), EIA file number(s), etc.);
- Copies of any available reports describing environmental studies (research, monitoring, design work, site investigations, surveys, etc.) already completed in relation to the undertaking or the location where it will take place;

- Copies of all relevant, available correspondence previously received from any municipal, provincial or federal government agency or department with respect to the undertaking or the location where it will take place;
- A list of all of the above documents; and
- A list of applications submitted to any municipal, provincial or federal agency concurrently with the EIA registration.

In addition, please note the following:

Any work within 30 metres of a watercourse or wetland requires a *Watercourse and Wetland Alteration* (WAWA) Permit. Proponents are advised to submit an application for a Permit early in the EIA review as it can take 6 to 8 weeks processing time for a standard WAWA permit.

### 3.0 DESCRIPTION OF THE EXISTING ENVIRONMENT

This description must include all features that are either found at the proposed project site or are likely to be affected, including but not limited to those listed below. These features should be described in writing and their locations should be shown on the site plan (see 2.0 (f) [Physical Components and Dimensions of the Undertaking](#), above). Representative photographs of key environmental features would also be useful (e.g., showing shorelines, wetlands and watercourses, vegetation, physical features, etc.).

Links to sources of information of assistance in describing the existing environment including government-produced maps, reports and databases are provided in [Appendix "A" - Selected Resources](#) on page 27.

In all cases, the description of the existing environment should include:

#### **a) Physical and Natural Features:**

- Site topography (maximum and minimum site elevation, and maximum and minimum gradients);
- Surface drainage (e.g., "the majority of the property drains toward the southwest");
- Watercourses, rivers, streams, drainage ditches, and wetlands. Mapped and unmapped watercourses and wetlands should be identified on the ground and proponents should include air photos, shapefiles or GIS points and data sheets if applicable;
- Coastal features including those protected under [A Coastal Areas Protection Policy for New Brunswick](#);
- Geology, groundwater and soils at the location, if these have the potential to affect or be affected by project implementation (e.g., if septic systems, landfills, waste disposal sites, ponds, building foundations, significant excavations and re-grading, etc. are required);
- Environmental features or conditions that could affect the undertaking (e.g., acid-generating rock, unstable slopes, areas vulnerable to flooding, ice jams, storm surges, etc.);
- All private or municipal water wells, municipal wellfields, and protected watersheds (i.e., municipal surface water supplies) located in proximity to or that could be affected by activities related to the proposed undertaking;
- Existing ambient air quality;

- Existing ambient noise levels;
- Existing vegetation (extent of forest cover, main vegetation type or tree species, etc.);
- The type, extent, and significance of any fish or wildlife populations and/or habitat;
- Any known presence of species at risk (legally-listed species) or other species of conservation concern;
- The presence of potential habitat for species at risk, for sites where there is a reasonable expectation of occurrence of those species;
- Any known presence of critical or sensitive habitat (e.g., old growth forest);
- The presence of other environmentally significant areas, including but not limited to National Wildlife Areas, Migratory Bird Sanctuaries, game reserves, RAMSAR (wetlands of international significance) sites, Important Bird Areas (IBAs), Western Hemisphere Shorebird Reserve Network (WHSHRN) sites, and designated critical habitats for species at risk etc.; and
- In addition to the above, if the undertaking would result in the removal, disturbance or alteration of a natural or biological feature, site-specific information may be required from field investigations conducted by appropriate specialists. Examples include alteration of a watercourse, impacts to species at risk, or disturbance of a wetland. See [Examples of Other Permits, Licences and Approvals](#) on page 32 for links to websites that provide additional information, or contact the EIA Branch using the contact information provided on page 1.

In addition, please note the following:

Watercourses in New Brunswick are defined as: A feature in which the primary function is the conveyance or containment of water, which includes: a) the bed, banks and sides of any watercourse that is depicted on the New Brunswick Hydrographic Network layer (available on GeoNB Map Viewer); b) the bed, banks and sides of any incised channel greater than 0.5 metres in width that displays a rock or soil (mineral or organic) bed, that is not depicted on New Brunswick Hydrographic Network layer (available on GeoNB Map Viewer); water/flow does not have to be continuous and may be absent during any time of year; or c) a natural or man-made basin (i.e. lakes and ponds).

Existing records and reports should not be considered exhaustive inventories of species in an area. Organizations such as the Atlantic Canada Conservation Data Centre, the *Species at Risk Act* Registry, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), the New Brunswick Museum and local naturalist groups should be consulted as appropriate regarding the potential presence of wildlife at risk. These organizations can also provide advice regarding the design and implementation of surveys that may be needed to fill data gaps important to the assessment (see Appendix “A” for additional information).

Since some of the above studies can only be completed at certain times of the year according to the natural feature being addressed, proponents should consider the implications for project scheduling and the timing of the registration document submission.

**b) Cultural Features:**

- List all federally, provincially, or locally recognized recreational sites or features, tourism features or attractions, tourism operations, cultural activities, hunting, fishing, gathering, traditional uses by First Nations, etc. on the subject property or adjacent lands; and
- List all federally, provincially, or locally recognized heritage and/or built heritage resources/areas (e.g., historic sites, historic buildings or structures, national or provincial parks, fossil site, archaeological sites, etc.) in relation to the proposed undertaking and adjacent lands.

c) **Existing and Historic Land Uses:**

- Identify the ownership of adjacent properties;
- Provide a general description of the use and land cover of the site of the proposed undertaking and adjacent lands (e.g., existing industrial facility, forest, residential property, vacant cleared land, agricultural land, etc.);
- Provide a description of known previous uses of the site of the proposed undertaking and adjacent lands (e.g., residential uses, agricultural activities, commercial/industrial activities, pits, quarries, mines, wells, waste disposal sites, etc.); and
- Describe the type and extent of any known or suspected contamination resulting from previous uses of the subject property or adjacent properties.

#### 4.0 IDENTIFICATION OF ENVIRONMENTAL IMPACTS

For each stage of the undertaking (construction, operation and maintenance), identify the anticipated impacts (if any) on the environmental features identified in the previous section. These should include impacts of the undertaking on the environment (e.g., loss of wildlife habitat, emissions to air and water, etc.) and vice-versa (e.g., seasonal flooding, extreme weather events, climate change scenarios, etc.). Consideration should also be given to impacts that may result from any accidental events, malfunctions, etc. Additional Guidance is found in Appendix B – [Sample List of Environmental Attributes](#).

As part of the response to this requirement, the anticipated impacts can be characterized in terms of compliance with relevant legislation, policies, guidelines and standards (for those impacts where legislation, policy and standards exist). For example answers can be provided to questions such as the following. Will the proposed undertaking:

- Result in the net loss of wetland functions or the net loss of Provincially Significant Wetland? (contrary to [New Brunswick's Wetlands Conservation Policy](#)),
- Result in an Activity in Zone A or B as defined in [A Coastal Areas Protection Policy for New Brunswick](#) that is not listed as an acceptable activity?
- Result in the deposit of a deleterious substance harmful to fish or migratory birds? (prohibited by federal legislation),
- Emit effluent in excess of relevant provincial or federal legislation, policies, guidelines or standards?
- Result in the loss of individuals of a threatened or endangered species listed by the federal Species at Risk Act (SARA), Committee on the Status of Endangered Wildlife in Canada (COSEWIC), or the New Brunswick *Species at Risk Act*, or damage or destruction of an individual residence or critical habitat?
- Compromise the conservation of a species of special concern listed by SARA or COSEWIC, listed as 'sensitive' or 'may be at risk' by ERD, or listed as S1, S2 or S3 by the Atlantic Canada Conservation Data Centre (ACDC),
- Have the potential to impact migratory birds, thereby requiring appropriate pre-construction surveys to take place (if not, provide a justification of why not, which could include, but not necessarily be limited to, the location of the project and/or the timing of project activities)? or
- Result in the emission of contaminants into the atmosphere that would result in an exceedance of local, regional or national objectives or standards?



In addition please note the following:

For additional guidance on Climate Change Considerations, consult the latest version of *Incorporating Climate Change Considerations in Environmental Assessment: General Guidance for Practitioners* available from the website of Environment and Climate Change Canada ([https://www.canada.ca/content/dam/canada/environmental-assessment-agency/migration/content/a/4/1/a41f45c5-1a79-44fa-9091-d251eee18322/incorporating\\_climate\\_change\\_considerations\\_in\\_environmental\\_assessment.pdf](https://www.canada.ca/content/dam/canada/environmental-assessment-agency/migration/content/a/4/1/a41f45c5-1a79-44fa-9091-d251eee18322/incorporating_climate_change_considerations_in_environmental_assessment.pdf)).

## 5.0 SUMMARY OF PROPOSED MITIGATION

Describe the measures that will be used to reduce or eliminate the environmental impacts identified in the previous section. A wide variety of measures can be employed depending on the type of undertaking and its physical setting. Mitigation measures should be considered as a hierarchy in which primary attention and priority is given to opportunities to avoid impacts. When these opportunities have been exhausted or it has been demonstrated that they are not feasible, then measures aimed at reducing impacts can be considered. Finally consideration can be given to measures that compensate for significant unavoidable impacts.

Examples of mitigation include but are not limited to the following:

### a) **Impact Avoidance**

- Selecting an alternative location or design for project components or infrastructure to avoid impacts to sensitive environmental features (such as impacts to wetlands that would result in net loss of wetland functions) ;
- Scheduling construction/operation activities to avoid sensitive periods (e.g., spawning, migration, etc.),
- Choosing construction, operation or maintenance processes that are low in emissions (few pollutants and wastes) and energy efficient;
- Incorporating design features in buildings that reduce water and energy use;
- Avoiding unnecessary use of chemicals (e.g., herbicides and pesticides);
- Leak and spill prevention plans (e.g., addressing equipment maintenance, materials storage, etc.);
- Enclosure or selective location of facilities and activities within a property to prevent noise and visual impact; and
- Environmental and safety training for construction and operation staff.

### b) **Impact Reduction**

- Pollution control equipment (e.g., effluent treatment, scrubbers, filters, lagoons, electrostatic precipitators, etc.);
- Environmental protection plans and protocols for specific activities (e.g., refuelling, herbicide applications, waste disposal) or for activities in specific locations (e.g., activities near watercourses or wetlands);
- Use of low or non-toxic chemical alternatives (e.g., herbicides, pesticides, hydraulic fluids, lubricants);
- Erosion and sedimentation control plans;

- Stormwater management plans;
- Sound barriers to reduce noise;
- Contingency plans (e.g., spill response and clean-up, evacuation, etc.);
- Access maintenance plans (e.g., traffic flow plans, detours etc.);
- Special design features (e.g., buffer zones, set-backs, acoustical or visual barriers, fish passage structures, natural channel design, etc.);
- Use of inspectors (e.g., environmental, geotechnical, archaeological, etc.);
- Timing restrictions (e.g., no pile driving after 9 p.m., no in-stream works during fish spawning, no clearing during nesting/breeding season for migratory birds);
- Noise or vibration reduction plans (e.g., use of anti-vibration pads, duct silencers, etc.);
- Monitoring plans (pre-construction, during construction, or post-construction as applicable) aimed at verifying predicted impacts and confirming the effectiveness of mitigation measures; and
- Environmental compliance measurement (e.g., auditing of compliance with environmental legislation and with site specific environmental protection plans).

c) **Impact Compensation**

- Restoring or enhancing natural features either at the location of the undertaking or elsewhere (e.g., wetland, fish habitat);
- Compensation agreements with landowners; and
- Replacing impacted water supply well.

Within the registration document or at some point during the EIA Review, proponents will make a commitment to implement mitigation measures. Specific details of these measures can be described in conditions attached to the *Certificate of Determination*. If the proposed undertaking is allowed to proceed, an additional condition will normally be attached requiring adherence to all obligations and commitments contained in the registration document, as well as all those identified in subsequent correspondence during the EIA Review.

There will typically be a requirement that the proponent prepare a summary table of all terms and conditions to be updated and submitted to DELG on a regular basis, to indicate the proponent's progress in meeting each of the conditions.

## 6.0 PUBLIC AND FIRST NATIONS INVOLVEMENT

The overall goal of involvement during the EIA Review is to ensure that those potentially affected by a proposed undertaking are aware of the proposal; are able to obtain additional information about it and express any concerns they may have. Engagement with First Nations has the additional purpose of informing government's actions regarding its duty to consult (see page 6 of this Guide), and to ensure First Nations are given a meaningful opportunity to input to decisions regarding the project.

While staff from the EIA Branch are available to advise proponents on how best to meet their obligations, it is the proponent's responsibility to design, implement, and document public and First Nation involvement, and submit a description of the involvement activities and results to the Branch.

Where applicable, an on-going dialogue throughout the life of the undertaking (e.g., through the establishment of community liaison committees, the provision of contact information to adjacent property owners, etc.) is encouraged. Such dialogue ensures that the proponent and interested New Brunswickers are mutually aware of issues as they develop and have a forum for discussion. In addition, it may form part of the mitigative measures in response to anticipated environmental impacts.

The report on public and First Nation involvement must include:

- a) A description of how the public and First Nations (see [Duty to Consult First Nations page 6](#)) input has been or will be sought and considered in relation to the proposed undertaking.

In addition, please note the following:

AAS is currently developing additional guidance on First Nations involvement which will be included in this Guide when available.

The minimum requirements for public involvement and a description of the contents of the required documentation are listed in Appendix “C” – [Minimum Proponent-Sponsored Notification and Involvement Standards](#) (page 37 of this Guide).

The definition of “public” includes all stakeholders (individuals, companies, agencies, organizations, interest groups, etc.) who may be affected by the undertaking. It also includes those who may have local knowledge of the location of the proposed development that may assist in its siting or design.

- b) **A Summary Report**

The Public Involvement report must be submitted and approved prior to the issuance of a Minister’s Determination. The report must be consistent with the Documentation Requirements specified in Appendix “C” [Minimum Proponent-Sponsored Notification and Involvement Standards](#) (page 37 of this Guide). The Determination Review cannot be concluded until the involvement has been completed and the documentation of the results has been submitted for consideration, reviewed, and approved.

The Public Involvement report will be made available to any interested party through DELG and from the proponent, upon request.

In addition, please note the following:

In some situations, it may be desirable to initiate involvement in advance of registration. This would allow the proponent to assess the degree of interest and concern related to the proposal and to incorporate First Nations and public input earlier in the planning stages. This approach could streamline the Determination Review by addressing consultation requirements earlier in the process. Proponents are requested to notify EIA Branch in advance of any proposed First Nation or public meeting.

Involvement is not intended to be open-ended. Involvement activities should be completed and a report on results submitted to the EIA Branch well in advance of the end of the review giving ample time for review and completion of additional activities if required. See Appendix C for additional details concerning timing.

The Department recognizes that it may not be possible to address every concern to the satisfaction of all parties. The proponent is expected to respond to input in an open and forthright manner and resolve as many concerns as possible, while clearly identifying those which could not be resolved.

## 7.0 APPROVAL OF THE PROJECT

List the permits, licenses, approvals, and other forms of authorization required for the undertaking in addition to its requirements under the *EIA Regulation*. See [Examples of Other Permits Licences and Approvals](#) on page 32 for links to websites that provide additional information.

If the undertaking is a modification, extension, or rehabilitation of an undertaking that previously received a *Certificate of Determination* or an Approval under the *EIA Regulation*, list any conditions that were attached to the Certificate or Approval.

## 8.0 FUNDING

If applications for a grant or loan of capital funds from any government agency have been or will be submitted, please identify the agency.

## 9.0 SIGNATURE

Date	Signature of Main Proponent Contact
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## 10.0 SUBMITTING THE REGISTRATION DOCUMENT

### Number of Copies

Be prepared to submit hard (paper) copies of the complete registration document if required. **The number of hard copies required will vary depending on the project and should be determined in consultation with the EIA Project Manager.** These copies must be accompanied by a complete electronic file via an email attachment, a USB drive, a CD, or a link to a website. Any maps, plans, documents, or drawings included in the electronic file should either be in PDF format or be readable by standard word processing software. Electronic submissions cannot include zipped files or executable (\*.exe) files. Anti-virus filters on the government server will not allow such files to be sent or received. Please contact the EIA Branch to learn about other restrictions on electronic files that may be applied from time to time. For electronic submissions (CD, email, website link), if GIS data was used to create any of the maps or drawings, please include the digital data file(s) with the submission (e.g., Shapefile), in addition to the PDF or word processing files.

### Fees

The appropriate fee (page 12) must accompany the submission. The submission will not be registered and the review will not commence until the fee is received by the EA Division.

**Address for hand delivery or courier**

Director, Environmental Impact Assessment Branch  
Department of Environment and Local Government  
20 McGloin Street, Fredericton, NB  
E3A 5T8

Telephone: (506) 444-5382

**Mailing address**

Environmental Impact Assessment Branch  
Department of Environment and Local Government  
PO Box 6000,  
Fredericton, NB E3B 5H1

**Electronic mail**

[eia-eie@gnb.ca](mailto:eia-eie@gnb.ca)

# APPENDIX A

## Selected Sources of Information

The following is a guide to sources of information that may be of assistance in preparing a registration document; and in particular, the description of the existing environment. This Appendix is not intended to be an exhaustive or a prescriptive list. The proponent is responsible for obtaining and using the most relevant information. Where necessary, information from secondary sources such as those listed below must be supplemented by detailed site-specific studies prepared by qualified professionals. In addition, First Nations, local residents and environmental groups may represent valuable sources of information.

Some of the additional permits licences and approvals that may be required for undertakings that are registered under the *Environmental Impact Assessment Regulation* along with links to additional information are listed at the end of this Appendix under the heading Examples of Other Permits, Licences and Approvals.

This Appendix contains internet links that are functional in the web-based version of this Guide, which can be accessed by visiting [www.gnb.ca](http://www.gnb.ca) and following the links to “Departments” > “Environment and Local Government” > “Environmental Impact Assessment”  
The internet links in the list below are subject to change as websites are continuously updated.

### Maps and Air Photos (Hard Copies)

- [Aerial Photographs – Service New Brunswick](#)
- [Maps – Service New Brunswick](#)
- [Land Grants, Grant Plans and Survey Plans](#)

### Electronic Maps

- [GeoNB Map Viewer](#)
- [GeoNB Data Catalogue \(list of electronic map layers\)](#)
- [GeoGratis](#)
- [SNB Property Assessment Online](#)
- [Wetlands](#)

### Air and Atmosphere (See Also Weather and Climate)

- [Air Quality Data Portal](#)
- [Provincial Air Quality Website](#)
- [Daily Air Quality Health Index](#)
- [National Air Pollution Surveillance \(NAPS\) Monitoring Results](#)

### Land

- Geology - General
  - [Geoscience Publication Search Query](#)
  - [Searchable On-line Bibliography of New Brunswick Geology](#)
  - [On-line Index of Fossil Occurrences in New Brunswick](#)
  - [New Brunswick Museum Databases](#)

- Geology –Bedrock
  - [Bedrock Aggregate Database](#)
  - [Lithologic Map of New Brunswick](#)
  - [Bedrock Geology Map of New Brunswick](#)
  - [Geology Map Search Tool](#)
  - [Geological Zonation of New Brunswick \(Map and Overview\)](#)
  - [Drill Core Storage and Borehole Database](#)
  
- Geology – Minerals and Metals
  - [Minerals and Petroleum Home Page](#)
  - [Metallogenic Map of New Brunswick](#)
  - [Mineral Occurrence Database](#)
  - [Mineral Claims Maps](#)
  - [Mineral Report of Work Search Query](#)
  - [Mineral History Database](#)
  - [New Brunswick Industrial Minerals Database](#)
  - [Advanced Mineral Assessments and Mine Development Summaries](#)
  - [Peat](#)
  
- Geology – Oil and Gas
  - [Oil and Natural Gas Home Page](#)
  - [New Brunswick Hydrocarbon Basins Map](#)
  - [Interactive Oil and Natural Gas Map](#)
  - [Oil and Natural Gas Licences/Leases](#)
  - [Map of Shale Gas Resource Areas](#)
  
- Geology – Surficial Geology, Soils and Geochemistry
  - [Landscape Map of New Brunswick](#)
  - [Surficial Geology Map of New Brunswick](#)
  - [Soil Erosion Indicator](#)
  - [Soil Landscapes of Canada](#)
  - [Forest Soils of New Brunswick – \(Report and Map\)](#)
  - [Index to Till Geochemistry Maps](#)
  - [Index to Stream and Lake Sediment Surveys](#)
  - [National Geochemical Reconnaissance Program Stream Sediment Survey Index](#)
  - [Granular Aggregate Database](#)
  
- Geology – Coastal Geomorphology and Erosion
  - [Sensitivity of the Coasts of New Brunswick to Storm Waves \(Map\)](#)
  - [Coastline Changes Richibouctou Cape - Bouctouche Spit, \(Map\)](#)
  - [Coastal Erosion in New Brunswick – \(overview with some statistics\)](#)

- Geology – Geophysical Surveys
  - [Index to Airborne Magnetic, Gravity, EM and Multiparameter Surveys](#)
  - [Index to Airborne Radiometric Surveys](#)
  
- Ecosystems and Biology
  - [Atlantic Canada Conservation Data Centre](#)
  - [Species at Risk Public Registry \(Federal\)](#)
  - [Species at Risk Public Registry \(Provincial\)](#)
  - [New Brunswick Museum Databases](#)
  - [Important Bird and Biodiversity Areas in Canada](#)
  - [Sites in the Western Hemisphere Shorebird Reserve Network](#)
  - [Atlas of the Breeding Birds of the Maritime Provinces](#)
  - [Natural Resources Publications](#)
  - [Eco-Regions and Eco-Districts of New Brunswick \(Report and Maps\)](#)
  - [Wildlife](#)
  - [Forests and Crown Lands](#)
  - [Wildlife Management Zones \(Report with map\)](#)
  - [Deer Wintering Areas \(General Description\)](#)
  - [Moose Collision Hotspots Map](#)
  - [Moose Collision Mitigation Measures Map](#)
  - [Monthly Distribution of Moose-Vehicle Collisions](#)
  
- Contaminated Sites and Waste Management
  - [New Brunswick Land and Waste Management Home Page](#)
  - [Property-Based Environmental Information](#)
  
- Parks and Protected Spaces
  - [Provincial Parks](#)
  - [New Brunswick Protected Natural Areas Home Page \(Maps and Reports\)](#)
  - [Registry of Historic Places](#)
  - [NB Trails Descriptions and Map](#)
  - [New Brunswick's Crown Lands Conservation Areas \(Map\)](#)
  - [Nature Trust of New Brunswick Preserves](#)
  
- Agriculture, Aquaculture and Fisheries
  - [Publications Home Page](#)
  - [NB Potato Crop, Weather and Pest Information Records](#)
  - [Crop Updates](#)
  - [Agriculture Resource Management System \(Electronic Mapping Tool\)](#)
  - [Marine Aquaculture Site Mapping Program](#)
  - [Marine Aquaculture Monitoring Results \(Environmental Quality\)](#)



- Forests
  - [Old Forest Community and Wildlife Habitat Definitions – \(Report\)](#)
  - [Digital Forest Resource Inventory Data](#)
  - [Forest Pest Conditions – Summary and Outlook \(Report\)](#)
  - [Forest Biomass Resource Map](#)

## Water and Wetlands

- [Water Home Page](#)
- Wetlands
  - [Wetlands Home Page](#)
  - [Wetland Mapping](#)
  - [RAMSAR Sites](#)
- Surface Water Quality (Fresh Water)
  - [Surface Water Quality Data Portal](#)
  - [Surface Water Quality Summary by Watershed](#)
  - [Index to Stream and Lake Sediment Surveys](#)
  - [National Geochemical Reconnaissance Program Stream Sediment Survey Index](#)
  - [Watershed Protection Order – List of Designated Watersheds](#)
  - [Watercourse and Wetland Alteration](#)
- Surface Water Quality (Marine and Estuaries)
  - [Marine Aquaculture Water Quality Monitoring Results](#)
- Ground Water Quality
  - [Groundwater Geochemistry Atlas](#)
  - [Groundwater Geochemistry Atlas – Summary of Findings](#)
  - [Domestic Water Quality Monitoring Results 2009 – Know Your H2O](#)
- Water Quantity and Hydrology
  - [Map of New Brunswick’s Level 1 Watersheds](#)
  - [Map of New Brunswick’s Level 2 Watersheds](#)
  - [Real Time Hydrometric Stream Gauge Data for NB](#)
  - [St Croix River Basin Interactive Flow Gauge Map](#)
  - [St John River Basin Interactive Flow Gauge Map](#)
  - [Water Quantity Information \(Rainfall, Snowfall, Stream Flow and Groundwater\)](#)
  - [Historic Water Levels – St. John River \(Table\)](#)
  - [St. John River – 2 Day flow and Water Level Forecast](#)
  - [Upper St. John River – 2 Day Water Level Forecast](#)
  - [Snow Depth Survey Results \(Map\)](#)
  - [Snow Depth Survey – Water Equivalent \(Map\)](#)

- [Snow Depth Survey – Water Equivalent Table](#)
- [Snow Depth Survey – Water Equivalent Percentage of Normal \(Map\)](#)
- [Hydro Resource Map of New Brunswick](#)
  
- Flooding
  - [Flooding Home Page](#)
  - [Flood Hazard Maps](#)
  - [Flood History Database](#)
  - [Historic Ice Jams in the Saint John River Basin \(Map\)](#)
  - [Historic Flood Photos](#)
  - [River Watch \(flood forecasting and alerts\)](#)
  
- Aquatic Flora, Fauna, Habitat and Ecosystems
  - [Atlantic Canada Conservation Data Centre](#)
  - [Species at Risk Public Registry \(Federal\)](#)
  - [Species at Risk Public Registry \(Provincial\)](#)
  - [New Brunswick Museum Databases](#)
  - [Fish Home Page](#)
  - [Glossary of Lake-Related Terms](#)
  - [St Croix River Alewife Count Records](#)
  - [List of Stocked Waters by County](#)
  - [Catch and Effort Reports](#)

## Weather and Climate

- Climate Change Indicators and Projections
  - [Climate Change Home Page](#)
  - [Summary of Predicted Impacts of Climate Change in New Brunswick](#)
  - [Various Climate Change Indicators with Numerical Data for NB](#)
  - [Sea-Level Rise and Flooding Estimates for New Brunswick Coastal Sections](#)
  
- Meteorological Records and Monitoring Networks
  - [Water Quantity Information \(Rainfall, Snowfall, Stream Flow and Groundwater\)](#)
  - [Thematic Guide to Archival Records Documenting the Environment](#)
  - [Historical Climate Data](#)
  
- Weather for Agriculture
  - [NB Potato Crop, Weather and Pest Information Records](#)
  - [Crop Updates](#)
  
- Solar and Wind Energy
  - [Annual Solar Energy Resource Map of New Brunswick](#)
  - [New Brunswick Wind Atlas](#)

- Fire Potential
  - [Forest Fire Weather Index Maps and Fire Activity Maps \(seasonally available \)](#)
  - [Fire Weather Observations \(seasonally available at 25 stations\)](#)

## Examples of Other Permits, Licences and Approvals

The flowing list includes permits, licences and approvals that may be required in addition to an Approval or Certificate of Determination issued under the *Environmental Assessment Regulation*. This is not intended as an exhaustive list. The proponent is responsible for obtaining all necessary permits, licences and approvals in relation to a proposed undertaking.

The following list contains internet links that are functional in the web-based version of this Guide, which can be accessed by visiting [www.gnb.ca](http://www.gnb.ca) and following the links to “Departments” > “Environment and Local Government” > “Environmental Impact Assessment”

### Local

- [Building permits in unincorporated areas](#)
- Building permits from the local planning authority (City, Town, Rural Community, etc.). [Contact the local planning authority.](#)
- Application for rezoning from the local planning authority (City, Town, Rural Community, etc.). [Contact the local planning authority.](#)

### Provincial

- [Watercourse and Wetland Alteration Permits under the \*Watercourse and Wetland Alteration Regulation of the Clean Water Act\*](#)
- [Approvals to Construct and Approvals to Operate under the \*Air Quality Regulation of the Clean Air Act\*](#)
- [Approvals to Construct and Approvals to Operate under the \*Water Quality Regulation of the Clean Environment Act\*](#)
- [Petroleum Storage System Approvals under the \*Petroleum Product Storage and Handling Regulation of the Clean Environment Act\*](#)
- [Water Supply Source Assessment approval under the \*Water Quality Regulation of the Clean Environment Act\*](#)
- [On-Site Sewage Disposal System approval under the \*Public Health Act\*](#)
- [Crown Land Leases and Licences to Occupy Crown Land under the \*Crown Lands and Forests Act\*](#)
- [Heritage Site Alteration Permit under the \*Heritage Conservation Act\*](#)

## **Federal**

- [Approval from the Canadian Environmental Assessment Agency under the \*Canadian Environmental Assessment Act, 2012\*](#)
- [Authorization from the Department of Fisheries and Oceans under the \*Fisheries Act\*](#)
- [Approval from Transport Canada under the \*Navigable Waters Protection Act\*](#)
- [Approval for explosives storage from Natural Resources Canada under the \*Explosives Act\*](#)

## APPENDIX B

### Sample List of Environmental Attributes

Responses to Section 4.0 Identification of Environmental Impacts can be framed by answering the question: Does the undertaking or related activities (during construction, operation or maintenance) have the potential to affect or be affected by any of the following environmental attributes? If so, then describe the impact and the proposed mitigation. Note: the following is a guide only and is not intended to be an exhaustive or a prescriptive list.

#### Air Quality

- Particulate/smoke
- Dust
- Odours/Fumes
- Visibility
- Primary chemical loadings (NO<sub>x</sub>, SO<sub>x</sub> etc.)
- Secondary chemical loadings (e.g., Photochemical smog)
- Greenhouse gases

#### Biology and Ecology (Aquatic)

- Deep sea marine habitat (seasonal and permanent)
- Inshore marine habitat (seasonal and permanent)
- Inter-tidal marine habitat (seasonal and permanent)
- Lacustrine habitat (seasonal and permanent)
- Fluvial habitat (seasonal and permanent)
- Wetland habitat (seasonal and permanent)
- Spawning, feeding, and breeding sites
- Populations/communities of aquatic species (including flora, fish, birds, marine mammals, etc.)
- Species diversity and variety
- Species at risk and other species of conservation concern
- Migration routes/movement corridors
- Aquaculture
- Sports fisheries
- Commercial fisheries
- Subsistence fisheries
- Native (cultural) fisheries

#### Biology and Ecology (Terrestrial)

- Natural vegetative cover/Vegetation communities
- Virgin/old growth timber stands
- Farmland/crops/domestic livestock/orchards
- Agricultural capability
- Migration routes/movement corridors
- Temporary (seasonal) habitat
- Permanent habitat
- Nesting, breeding, and feeding sites
- Size and distribution of populations/communities (animals, birds reptiles, amphibians, insects)
- Species at risk and other species of conservation concern
- Species diversity and variety
- Sport, recreational, commercial, subsistence hunting/trapping/gathering

## **Physical (Climate/Atmosphere)**

- Macro-climate
- Micro-climate
- Temperature
- Humidity
- Wind patterns/air circulation
- Precipitation patterns
- Fog
- Thermal inversions
- High level ozone (ozone layer)
- Shadow effects/sun blockages
- Noise or vibration

## **Physical (Geology)**

- Aggregate or mineral resource potential
- Rock pressure
- Geochemistry (e.g., acid rock drainage etc.)

## **Physical (Geomorphology)**

- Landforms, topography
- Soil erosion
- Soil permeability
- Total site imperviousness
- Ground transmitted noise/vibration
- Soil bearing capacity/settling/liquefaction
- Slope stability/earth slides/rock slides/slumps
- Aggregate or mineral resource potential
- Soil fertility
- Soil moisture/drainage

## **Physical (Groundwater)**

- Quantity (aquifer yields etc.)
- Quality (e.g., salinity, nitrates, toxic substances)
- Base flow to streams/springs/seepages
- Depth to water table (mounding, drawdown, etc.)
- Flow direction
- Recharge areas
- Domestic/municipal/industrial/agricultural supplies

## **Physical (Surface Water)**

- Quantity of flowing and standing water (rivers, lakes, and streams)
- Quality of water (temperature, BOD, dissolved oxygen, bacteria, turbidity (suspended solids, sediments), nutrients, pH, pesticides, chlorinated organics, trace metals, hydrocarbons, misc. toxics, salinity, taste, odour, floating debris)
- Tidal patterns and ranges
- Quantity and quality of wetlands
- Flood frequency/magnitude/elevation

- Currents/ circulation patterns
- Wave patterns
- Beaches/dunes (size and substrate)
- Flow regime (variability, frequency, velocity)
- Domestic/municipal/industrial/agricultural supplies
- Thermal regime (stratification)
- Chemical equilibrium/mobilization (movement between sediments and water column)
- Trophic state
- Drainage patterns, catchment boundaries hydrologic transfers/losses
- Unique physical features
- Shoreline processes (erosion, transportation, deposition)
- Channel morphology, configuration

### **Valued Spaces/Locations**

- Significant structures, sites, monuments, objects
- Archaeological sites
- Paleontological (fossil) sites
- Areas of special local significance (spiritual, cultural, ecological)
- Parks and reserves
- Sites of educational, scientific, natural, or historical interest
- Visual character (scenery, views, vistas)
- Ornamental features (plantings, landscaping)
- Unique physical features

### **Community Structure (Socio-economic)**

- Population size and density
- Housing availability
- Public health
- Incomes levels
- Employment opportunities
- Municipal income (tax base/grants, etc.)
- Property values
- Municipal expenditures

### **Community Structure (Physical and Functional)**

- Land use compatibility
- Temporary or permanent barriers to vehicular/pedestrian movement
- Temporary land use restrictions/disruptions
- Municipal infrastructure, utilities, fire/police protection
- Transportation patterns (modes and routes)
- Traffic volumes
- Access to and within farms, homes, businesses, industries
- Operational practices of farms, businesses, industries

### **Lifestyle and Quality of Life**

- Access to existing recreational opportunities
- Cultural facilities
- Congestion
- Community noise levels/vibration

## APPENDIX C

# Minimum Proponent -Sponsored Notification and Involvement Standards

**This Appendix must be read in conjunction with Section 6.0 of the Registration Guide.**

Steps 1 to 4 and Step 8 describe the minimum notification and involvement standards that must be addressed for of all registered undertakings. It is in the proponent's best interest to ensure that all stakeholders are identified and contacted, so that key stakeholders do not appear late in the process, resulting in potential delays to approval. For this reason proponents may wish to exceed the minimum requirements.

1. The proponent must communicate directly with elected officials (i.e., the MLA and mayor), local service districts, community groups, environmental groups, and other key stakeholder groups (companies, agencies, interest groups etc.) and First Nations as appropriate, enabling them to become familiar with the proposal and ask questions and/or raise concerns. This could be done by:
  - Organizing one or more meetings or workshops; and/or
  - Appearing at a community or group's regular meeting (e.g., a council meeting); and/or
  - Sending a letter or information flyer as described under Item 2 below. Note that it is the

proponent's responsibility to identify the stakeholders.

2. The proponent must provide direct, written notification (letter, information flyer, etc.) about the undertaking and its location to potentially affected First Nations, area residents, and landowners and individuals (to be determined in consultation with the EIA Branch). The notification must include the following:

### Required Content of Notices

- *A brief description of the proposed undertaking;*
- *Information on how to view the Registration Document*
- *A description of proposed location (map is desirable);*
- *The status of the Provincial approvals process (i.e., "The undertaking is currently registered for review with the Department of Environment and Local Government under the Environmental Impact Assessment Regulation, Clean Environment Act");*
- *A statement indicating that people can ask questions or raise concerns with the proponent regarding the environmental impacts;*
- *Proponent and/or consultant contact information (name, address, phone number, E-mail); and*
- *The date by which comments must be received (See Section 6.0 of the Registration Guide)*

Should the undertaking involve the use of Crown Land, this must be made clear as part of the notice.

3. The EIA Branch will place notice of the Registration and a copy of the Registration Document on its internet-based Projects Under Review registry and will make the Registration Document (and any subsequent submissions in response to issues raised by the Technical Review Committee) available for review at 20 McGloin Street, Fredericton, N.B.
4. The proponent must make copies of the registration document, (and any subsequent submissions in response to issues raised by the Technical Review Committee) available to any interested member of the public, stakeholder, or First Nation and deposit a copy of this



document, along with any subsequent revision, with the appropriate DELG regional office, where it will be available for review.

For large scale undertakings, and undertakings in sensitive environmental settings, the following additional requirements may be required at the discretion of the EIA Project Manager.

5. The proponent must place notice(s) in at least one local newspaper having general circulation in the area of the proposal and/or at least one provincial daily newspaper. The notice(s) must include (at minimum) the information outlined in the sample notice below:

<h1>NOTICE</h1>
<b>Registration of Undertaking Environmental Impact Assessment Regulation Clean Environment Act Opportunity For Comment</b>
<p>On (<b><i>date of registration</i></b>), (<b><i>proponent</i></b>) registered the following undertaking with the Department of the Environment and Local Government in accordance with Section 5(1) and Schedule "A" of the Environmental Impact Assessment Regulation: (<b><i>Name of Project</i></b>).</p> <p>The purpose of the proposed undertaking is (<b><i>Brief 1 – 2 sentence description</i></b>). The project would be located at (<b><i>Brief 1 – 2 sentence description</i></b>)</p> <p>The proponent's registration document can be examined at: (<b><i>list two publicly accessible viewing locations local to location where the undertaking would take place</i></b>) and at (<b><i>DELG Regional Office</i></b>) and at the Department of the Environment and Local Government, Environmental Impact Assessment Branch, 20 McGloin Street, Fredericton, NB. It is also available on the Department of Environment and Local Government's website: <a href="http://www2.gnb.ca/content/gnb/en/departments/elg/environment/content/environmental_impactassessment/registrations.html">http://www2.gnb.ca/content/gnb/en/departments/elg/environment/content/environmental_impactassessment/registrations.html</a></p> <p>Any comments should be submitted directly to the proponent at:</p> <p>(<b><i>proponent's mailing address and e-mail address</i></b>) or during a Public Open House to be held at (<b><i>date time and location of Open House if one is being held</i></b>)</p> <p>on or before <b><i>date (see below)</i></b></p> <p>Additional information about the proposal and the <i>Environmental Impact Assessment Regulation</i> is available by visiting <a href="http://www.gnb.ca">www.gnb.ca</a> and following the links to "Departments" &gt; "Environmental and Local Government" &gt; "Environmental Impact Assessment" &gt; "Projects Under Review"</p> <p>Notice Placed by: (<b><i>proponent name</i></b>)</p>

Concerning the deadline for comments – the minimum requirements are the greater of: 25 days (or more if appropriate\*) from the first appearance of the notice or 25 days from the open house date if one is held.

\* If the project is large, complex or the public concern over the project heightened, the Project Manager will increase the length of time required for the public to provide comments.

Note that the proponent is also encouraged to use other appropriate media (radio, television, signs on subject property, etc.) to provide notice of the registration and request comments.

6. The proponent must make the registration document, (and any subsequent submissions in response to issues raised by the Technical Review Committee) available in at least two locations local to the location of the undertaking (e.g., the proponent's offices, a public library, a municipal office, another public location).
7. The proponent must advertise and host an open house or public meeting as an opportunity for the interested parties to become familiar with the proposed undertaking and ask questions and/or raise concerns pertinent to the environmental impacts.

### **Documentation Requirements (For all registered undertakings)**

8. Prior to the Minister's Determination, the proponent must prepare and submit to DELG a report documenting public and First Nation involvement activities, and make this report available for review. The report will be circulated to the TRC for review and be approved. Deficiencies must be addressed prior to Determination; therefore the proponent should submit the report early to allow plenty of time for the review process. The report must:
  - describe the involvement activities (dates and times of any meetings, copies of newspaper notices, flyers, letters etc.);
  - identify key public and private stakeholders (local naturalist groups, industry representatives, politicians, etc.) and First Nations directly contacted;
  - include copies of all correspondence received from and sent to First Nations, stakeholders and the general public;
  - describe (summarize) any issues or concerns received as a result of the involvement program (names and affiliations of persons providing the comments and personal information such as addresses and telephone numbers should be omitted from the report);
  - indicate how these issues and concerns were (or will be) considered or addressed;
  - describe any proposed future engagement with respect to the undertaking (e.g., on-going public liaison committees, etc.).
  - for undertakings involving the use of Crown Land, any comments on this aspect of the proposal must be clearly indicated.

#### **Please Note the following:**

DELG considers all comments and the proponent's responses to be public information. The report on involvement activities will be made available for review at the DELG Regional Office and at the Environmental Impact Assessment Branch, 20 McGloin Street, Fredericton, NB.

The Aboriginal Affairs Secretariat will provide guidance on the format required for documentation of First Nation consultation/involvement.

The EIA Branch has the authority to release the proponent from the obligation to respond to comments that are: a) frivolous or malicious; b) not specific to the undertaking; or c) submitted anonymously.