

A Five-Step Process

As mentioned above, the environmental assessment procedures established for northern projects vary according to whether the project is located south or north of the 55th parallel. The commission or committees also vary according to whether the project is provincial or federal in nature. Therefore, there are four distinct procedures possible. However, they all follow the same five-step process.

1. Proponent's preliminary information

The first step of the process is the proponent's preliminary information on his project. This step starts from the moment the proponent studies the possible options and the technical, environmental and social aspects of the project before choosing the best options for subsequent studies. The proponent must then send to the Administrator a notice of intent, along with preliminary information on the project. This information concerns in particular the objectives, nature and scope of the project, as well as the various sites being considered or the various possible development alternatives.

2. Assessment

The preliminary information is then sent to the committee responsible for defining the nature and extent of the impact study. This committee is either the COMEV, if the project is located south of the 55th parallel, or the KEQC, if the project is located north of the 55th parallel.

When a project is not automatically subject to nor exempt from the procedure (see lists), the COMEV recommends to the Administrator or the KEQC decides whether or not the development project should be the object of an impact study.

When a project is subject to the procedure, the committee or commission formulates guidelines outlining the extent of the impact study to be prepared by the proponent. These guidelines are submitted to the Administrator, who transmits them to the proponent, with or without changes.

If the Administrator deems it necessary to change a COMEV recommendation, he must first consult the latter.

3. Impact study

During the third step, the proponent prepares the impact study in accordance with the Administrator's guidelines.

It should be pointed out that the Regulation respecting the environmental and social impact assessment and review procedure applicable to the territory of James Bay and Northern Québec (Q-2, r. 11) defines what elements must be included in an impact study.

Among them: a description of the project and of the biophysical and social environments affected; an assessment of the project's probable repercussions; a description of the project alternatives and a description and assessment of remedial measures.

4. Review

The proponent submits his impact study to the Administrator, who then sends it to the review committee, either the COMEX, if the project is located south of the 55th parallel, or the KEQC, if the project is located north of the 55th parallel.

The Native administrations and the public can make representations to the committee, which may also hold public hearings or any other type of consultation.

The COMEX recommends or the KEQC decides whether to reject or authorize the development project and, if so, under what conditions. It must then define the changes or additional measures that it considers appropriate.

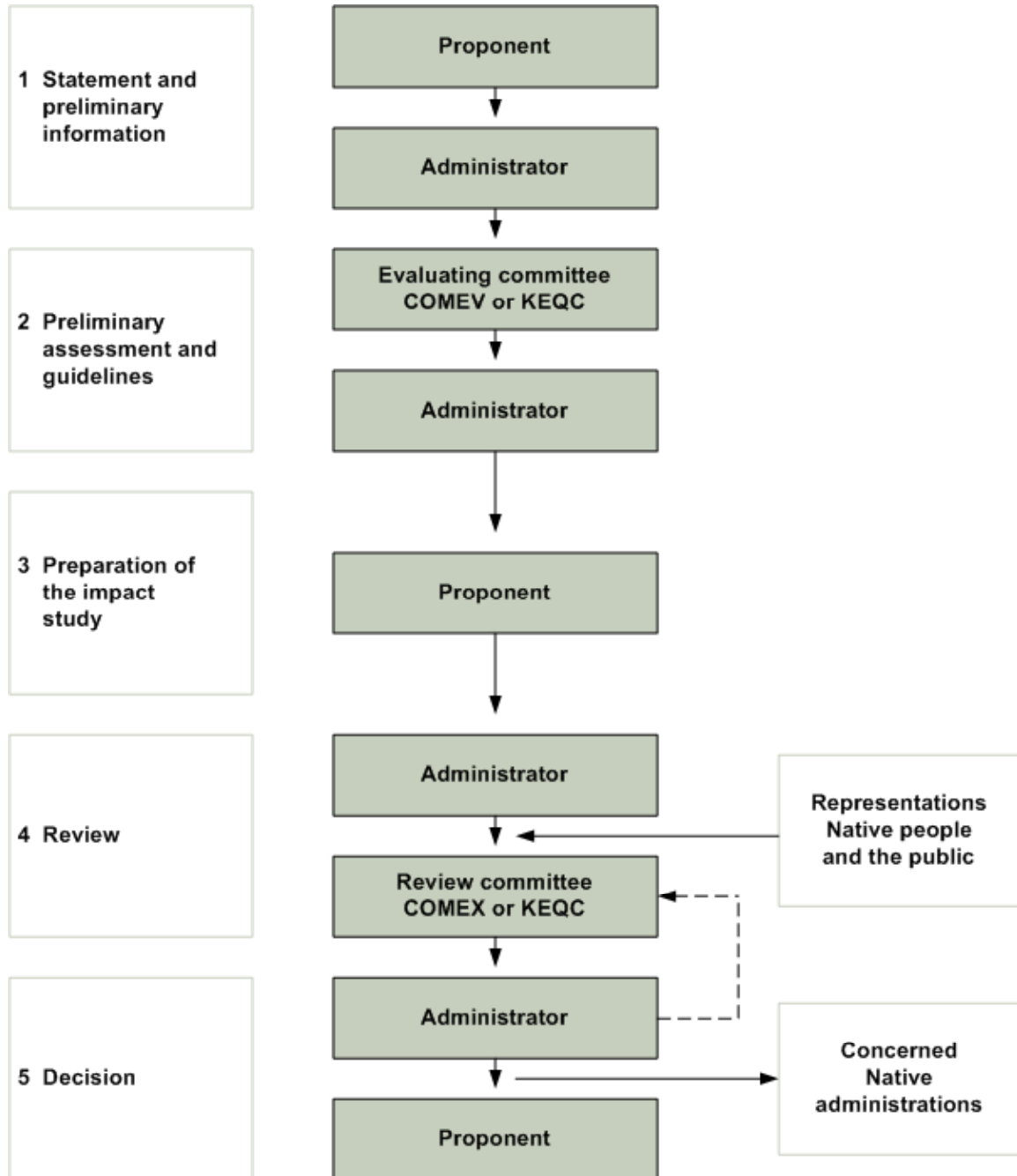
5. Decision

Taking into account the COMEX recommendation or the KEQC decision, the Administrator grants or refuses authorization for the project. If the Administrator cannot accept the committee's recommendation or commission's decision, he must consult the latter before making a final decision and informing the proponent. The Native administrations affected are also informed of the final decision. Moreover, sectoral authorizations (with regards to quarries and sand pits, water and sewer mains, camps, etc.) must be delivered pursuant to Chapter I of the Environmental Quality Act.

The Environment Quality Act establishes time limits, ranging from 30 to 90 days, for each step of the process. However, the administrator can extend any of these time limits, if the need arises.

(See Table Below)

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Source: Ministère Développement durable, de l'Environnement et des Parcs
<http://www.mddep.gouv.qc.ca/evaluations/mil-nordique/process.htm>