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# Sustainability and regional assessment in next generation impact assessment

Theme Forum Panel:  
Are Regional  
Assessments the Key  
to Sustainability?



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## Regional assessment in sustainability-based next generation impact assessment

regional assessment addresses

- problems and opportunities beyond project assessment
- cumulative effects, broad alternatives, strategic direction
- just transformation + protection and rehabilitation

sustainability-based next generation assessment respects

- lessons from 50+ years of IA and
- imperatives of the present context (esp. unsustainable trajectories and complex interacting systems)

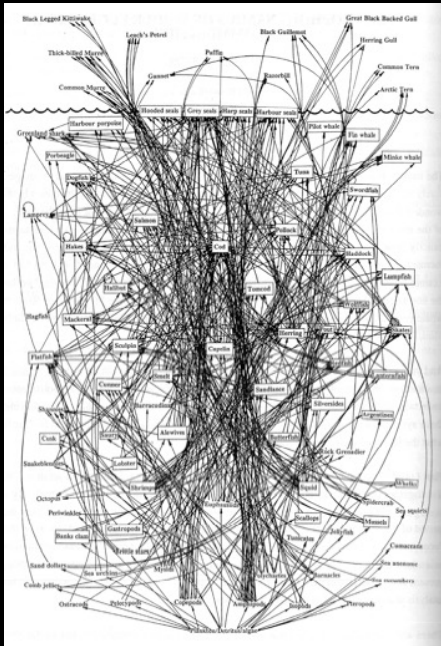
# Lessons from 50+ years of IA experience about evident needs

- law-based requirements with clear core processes and substantive expectations
- flexibility for different undertakings and different contexts
- scope covering all key interacting effects
- early initiation
- comparative evaluation of alternatives
- credibility: rigour, timeliness, impartiality, transparency, open participation, fair administration, explicit criteria, reasons for decisions,...
- effective follow-up
- broad and continuous learning
- interjurisdictional collaboration

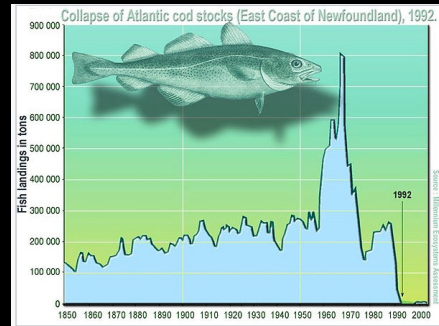


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# Complex interacting systems



Scotian Shelf marine food web, NW Atlantic off Nova Scotia, 1980s (including cod, neglecting humans)



Overfishing starting in the 1960s pushes the NW Atlantic cod over a system threshold, collapse in 1990s

in a world of highly complex, dynamic systems at multiple linked scales,

- connections and interdependencies are at least as important as components,
- interactions among effects are at least as important as the initial effects
- human interventions play major roles
- uncertainties and surprise abound
- recognizing cumulative interactive effects is crucial, but only a start to identifying potentially viable futures and pathways to them



## Unsustainable trajectories

Assessment today must help to reverse local to global trajectories towards deeper unsustainability, including the trajectories of

- climate change,
- degradation of the biophysical foundations for ecological services, and
- conflict-inducing inequities.

Aiming merely to mitigate significant adverse effects is not nearly enough.



## Sustainability-based next generation impact assessment: package of 14 components



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1. sustainability-based purpose, scope and criteria for evaluations and decisions
2. application in integrated, tiered assessments covering all potentially significant undertakings at the regional, strategic and project levels
3. interjurisdictional cooperation, collaboration and upward harmonization
4. respect for Indigenous knowledge, rights and authority and facilitation of reconciliation
5. assessment streams for assessments of projects and regional/strategic undertakings of different character and significance
6. meaningful public participation
7. full-process learning

# Sustainability-based next generation impact assessment: package of 14 components



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8. early process initiation
9. rigorous and credible impact assessments focused on cumulative/interactive effects and uncertainties
10. comparative evaluation of potentially reasonable alternatives, including the null option
11. credible, accountable and authoritative decision-making for assessed undertakings, policy making and other core initiatives in the IA regime
12. follow-up of compliance with conditions, effect predictions, and effective response to monitoring findings
13. independent and impartial implementation and administration
14. effective, efficient and fair process

# Key next generation regional assessment tasks/roles

- anticipate sustainability-related regional **cumulative effects and their implications**, including intergenerational ones
- identify and compare broad **future scenarios, alternative pathways** and associated **strategic options**
- recommend **regional/strategic initiatives** (e.g., plans, programs and policies) including **project guidance**
- ensure open and **credible process**
- facilitate **collaboration and learning**
- initiate steps to good continuing **governance arrangements**



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## Where to do it , substantive considerations

- where new **opportunities and/or concerns** have emerged
- where current conventional regional **activities are controversial, failing and/or clearly unsustainable**
- where the **cumulative effects** of new or additional undertakings could be seriously adverse
- where potentially **better options** may emerge
- where a **substantial transition** is needed or is underway but needs guidance



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# Where to do it, process and governance considerations

- where **no established regional/strategic plan** or other adequate direction is in place
- where **no one governance body** has the authority, capacity and/or credibility to act effectively on its own
- where there is need and potential for **interjurisdictional collaboration**
- where a jointly appointed independent body could facilitate **credible public examination** of concerns and opportunities, and suitable responses



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# Key next generation regional assessment benefits

- addresses **big, neglected issues and imperatives**
- facilitates transparency and more **effective public participation** at the regional level
- can deliver **authoritative direction** for managing the cumulative effects of projects and other regional activities
- can help establish **continuing governance arrangements** where these are missing
- can **complement other strategic-level initiatives** (e.g., planning for energy transportation systems, climate change transformation and just transition)
- finds routes to medium to **long-term effectiveness, efficiencies, fairness** in assessment regimes and beyond



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# Key next generation regional assessment difficulties



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- complex issues, **limited information**
- multiple, **diverse needs**
- limited experience, few established legal and institutional structures and capacities
- **fragmented mandates** and expertise, conflicting jurisdictions
- incentives favouring **short-term priorities**
- avoidance of, or hostility to, **disruptive change**
- political and administrative preferences for strategic level **secrecy** and openings for **expediency**
- potential to be **slow and expensive** (not another layer of assessment!)

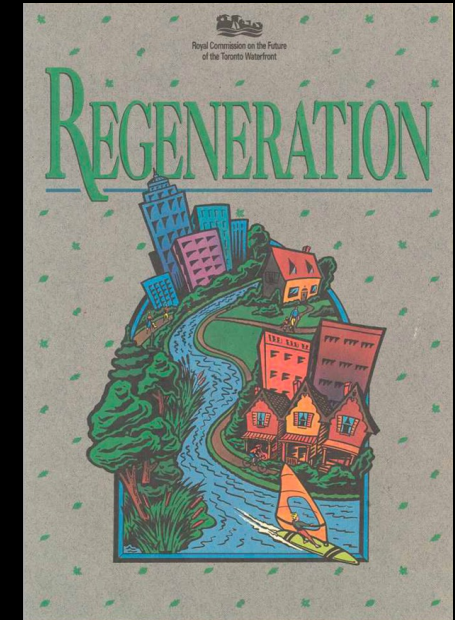
# Canadian experience so far

decades of diverse, ad hoc applications, often not called regional assessments

- rough equivalents in regional and resource planning, especially where major transformations have been needed
- exceptionally large project assessments with major regional implications (e.g., Berger Inquiry and Mackenzie Gas Project JRP)
- planning-based collaborative regional inquiries (e.g., Crombie Commission)
- regional planning in the territories (esp. Yukon and Nunavut)
- special regional strategic assessments by independent panels (Fundy Tidal Energy)



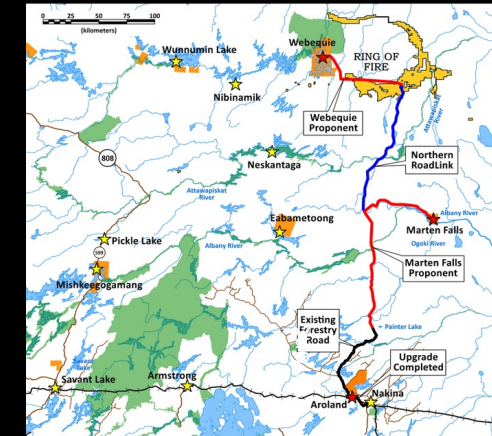
Dawson Region Land Use Plan,  
Yukon, 2022



Royal Commission on the  
Future of the Toronto  
Waterfront, 1992

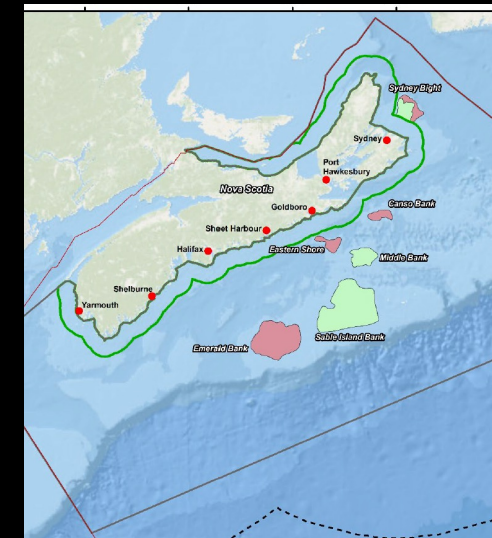
# Experiments in progress under the federal IAAct, 2019

- **Ring of Fire mining, northern Ontario**
  - multiple mines/infrastructure, remote roadless lands of multiple First Nations, major carbon sinks, no regional plan
  - 2020-? slow learning and negotiation continuing
- **St. Lawrence River (Montreal to Île d'Orléans)**
  - requested by Indigenous authorities, concerns about cumulative effects on already heavily-used waterway
  - 2020-? negotiations suspended due to fed/prov conflict
- **Nova Scotia / Newfoundland & Labrador offshore wind development, parallel RAs**
  - cumulative effects, suitable sites identified, reasonable consultation little on downstream uses of the generated energy
  - federal/provincial agreements 2022, existing governance body, independent committees and advisory groups, transparency, interim reports, deadline January 2025



Ring of Fire mining area and proposed access roads

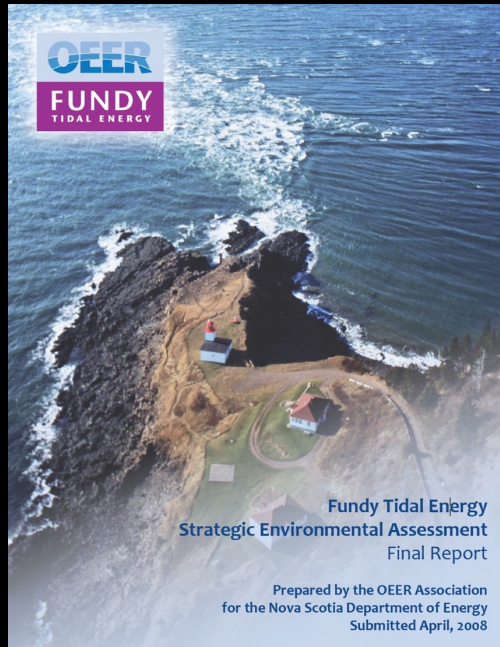
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Nova Scotia RA potential wind generation development areas

NS offshore wind RA interim report

# Initial broad conclusions



The model quick case – the Bay of Fundy Tidal Energy Strategic Assessment

- next generation regional assessment is **necessary, difficult and possible**
- the most notable past successes have
  - accepted **ambitious** mandates
  - shared basic **next generation features**, including those for credibility
  - been flexible in applying a diversity of **context-specified forms and methods**
  - achieved **quick results only in cases with strong existing capacities**
- future applications will need **ambition, flexibility and continuing roles** in longer-term learning and change

and light at the end of the tunnel





# Appendix: Regional/strategic assessment process design criteria



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1. clear statement of process purposes, centred on commitment to sustainability or the equivalent, with appropriate evaluation and decision criteria
2. application to all sustainability-significant regional/strategic undertakings
3. application initiated early enough to cover initial deliberations on purposes and alternatives
4. defined strategic-project linkages so the regional/strategic assessment results (policies, plans, programs, other regional guidance, etc.) provide authoritative guidance for the development, review and approval of anticipated lower tier strategic or project initiatives
5. clear identification of the nature and role of the proposed or anticipated strategic undertaking(s) or advice to be delivered

## Appendix: Regional/strategic assessment process design criteria

6. sufficient variety and flexibility of process streams to cover different sorts of regional/strategic undertakings (broadly influential multi-tier policies and programs, overlapping regional and sectoral undertakings, etc.)
7. means of ensuring particular regional/strategic assessments can be coordinated or consolidated with related work in other agencies and jurisdictions and/or contribute to the development of new continuing governance arrangements, including with interjurisdictional collaboration
8. critical review of purposes in light of sustainability criteria, specified for the particular case and context
9. sustainability-based scope with loosely defined initial strategic foci, open to adjustment as new concerns, opportunities and options emerge



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## Appendix: Regional/strategic assessment process design criteria

10. comparative evaluation of potentially reasonable alternatives, applying sustainability criteria and potentially informed by consideration of future scenarios, with the aim of identifying/developing the best option (with the most positive mutually reinforcing benefits, and least risk of significant adverse effects)
11. attention to cumulative effects and lifecycle issues
12. efficient matching of assessment effort with the significance of the case (use of more and less onerous streams of assessment, focusing assessment on most crucial issues)
13. clear delineation of assessment roles and responsibilities, recognizing overlapping authority and needs for collaborative action
14. rules and structures to ensure independence and impartiality of assessment review
15. opportunities for meaningful public participation in open deliberations



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# Appendix: Regional/strategic assessment process design criteria



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16. transparent and accountable decision making
17. provision for authoritative decisions about resulting regional/strategic undertaking(s) including guidance for subsequent lower tier and project decision making and implementation
18. opportunity for appeal of decisions
19. procedures for monitoring, review, iterative learning and identification of needs for corrective action and implementation, including new governance arrangements
20. impartial administration
21. adequate resources and motivations
22. links to broader regional/strategic context (e.g., overall objective setting, indicator development, etc.)
23. regular review of process to incorporate lessons from experience.

# Let's continue the conversation!

Post questions and comments in the IAIA24 app.



**#iaia24**

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