



General Terms of Reference for Environmental Assessments

1.0 Background & Definitions

All development projects on S.A.Y Lands require the completion of an Environmental Assessment (EA). This Term of Reference addresses general considerations for the completion of an EA. Specific projects (i.e., sand and gravel permits, leases, wastewater treatment systems, logging permits, and complex projects) may require additional investigations beyond those outlined here. The appropriate Lands and Trust Services (LTS) Environmental Specialist, LTS Natural Resources Officer, or Public Works Government Services of Canada engineer should be consulted early in the project process to ensure that a planned EA meets all of S.A.Y. Lands requirements.

The following are key terms required to accurately interpret this Terms of Reference:

1.1 Scoping

An integral part of the EA process that determines the extent of the EA investigation and the appropriate level of detail and complexity.

1.2 Valued Ecosystem Component (VEC)

Ecosystem components that are considered important or valuable to S.A.Y Lands and are valued under the Canadian Environmental Assessment Act (CEAA) and the Provincial Environmental Management Act (BC EMA) and their associated regulations.

1.3 Environmental Impact

Any change a project may cause in the physical environment, including any changes to species at risk and their critical habitat, as defined by the [Species at Risk Act](#) (SARA) and the [Committee on the Status of Endangered Wildlife in Canada](#) (COSEWIC).

1.4 Cumulative Effects

Impacts on the biophysical and socio-economic environment that results from the incremental effects of a development where added to other past, present, and reasonably foreseeable future developments, regardless of what agency or person undertakes such other developments, as defined by the [Indigenous Center for Cumulative Effects](#).

1.5 Mitigation

The elimination, reduction, or control of the adverse effects of a project. Mitigation may include compensatory measures for damage to the environment, as defined in the BC EMA and the CEAA.

1.6 Accessory Activities

Accessory activities include physical works that must be completed to allow the principal project to proceed (e.g., access to roads, drilling, test pits, surveys, etc.).

1.7 EA Study Report

An EA Study Report describes in detail, the environmental impacts of construction, operations, mediation, decommissioning, abandonment, malfunctions, and cumulative effects on VECs. Proposed mitigative measures, including follow up activities and their expected outcomes, are clearly identified. For capital projects, the EA Study Report will usually be completed during the design stage and must be submitted as a stand-alone document. A capital project that triggers a review under CEAA or BC EMA can not be funded for construction without a screening decision by INAC based on the EA Study Report.

2.0 **EA Scoping Report**

Scoping is a critical first step in the EA process. Scoping will determine the limits of the EA and will focus future analysis and site monitoring on the relevant issues and concerns. The key elements in the scoping process that must be considered in all EAs include but are not limited to:

- Project activities that must be assessed as part of the EA;
- Possible impacts that need to be considered;
- Parties involved in the EA, their interests, and concerns.

2.1 EA Scoping Report (Capital Projects Only)

An EA scoping report (EASR) is a standalone document that summarizes the elements identified in [Table 1](#). An EA scoping report is required for all funding services capital projects. A scoping report is not required for Lands and Trust Services (LTS) projects unless requested by S.A.Y. Lands. This report should be completed during the feasibility stage of a project and will be used in the assessment of project viability. Where multiple sites are being considered, environmental conditions and impacts at each site must be considered and incorporated into the site selection process.

3.0 EA Analysis Report

An EA analysis report (EAAR) describes in detail the environmental impacts development and must be submitted prior to initiating project works. The key elements that must be addressed in the EA are included in [Table 1](#).

Table 1. EA report components.

Introduction	Provide a summary description of the project including construction, operation, decommissioning, and other activities expected during the life of the project.
Report in: EAAR, EASR	Project proponent contact information including organization, name, mailing address, telephone number, and email address is <u>required</u> .
Maps	Provide maps that show the location(s) or proposed location(s) of the project within the context of the Reserve(s) and the regional area. Where appropriate and readily available, inclusion of First Nation nomenclature should be considered.
Report in: EAAR, EASR	Copies of topographic maps and/or aerial photos should be provided when available.
Project Activities	Provide a detailed description of all potential project activities throughout the project life cycle including but not limited to construction, operation, modification, decommissioning, abandonment, malfunction, and potential accidents.
Report in: EAAR, EASR	Provide details on where environmentally responsible solutions have been incorporated into project design (e.g., energy efficient infrastructure, water conservation measures, alternative energy sources, etc.) and outline the associated benefits.
Current Environmental Conditions	Provide a summary description and location of the existing environmental conditions in the project area including the following (when relevant):
Report in: EAAR, EASR	

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- Ownership of the site and adjacent sites
 - Easement rights and utilities
 - Hazardous materials
 - Current land use
 - Access/access control
 - Cultural resources
 - Hydrological conditions
 - Terrestrial or aquatic life presence/habitat
 - Existing vegetation communities
 - Invasive species (terrestrial and aquatic)
 - Soil transport, storage, and removal
 - Opportunities for enhancements or restoration
 - Surface runoff
 - Water quality
 - Species at Risk
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Environmental Impacts

Report in: EAAR, EASR

Indicate known or suspected environmental impacts of the project on the VECs in order of significance or level of impact. These can include, but are not limited to:

- Removal or destruction of vegetation and habitat by construction equipment;
- Siltation or possibility of sediment entering waterways;
- Soil contamination through storage and disposal of waste products;
- Air quality and emission concerns;
- Groundwater contamination due to accidents or system failures, etc.

Verify any cumulative effects that are anticipated. Include any impacts that are likely to result from the project, in combination with pre-existing developments, or in combination with future developments that will be carried out as a direct result of this project.

Mitigation

Report in: EAAR

Identify any mitigation techniques that will reduce or eliminate the impacts identified above and any additional impacts that may be identified during the site assessments. Mitigation efforts must be included in design of the project and referenced appropriately.

Where a project interacts with species at risk, specific mitigation measures must be identified. Mitigation strategies for species at risk should be approach hierarchically with avoidance being preferred (e.g., timing, design/location change), followed by minimization through project modification or implementation under special conditions, and lastly, compensatory mitigation (replacement of lost habitat in a different, similarly valued area).

**Indigenous and
Public Consultation**

Report in: EAAR, EASR

Document consultation with other government departments and agencies (including S.A.Y. Lands). Include the following information in this section:

- Contact information of all consulted parties;
- Any additional consultations planned.

Socio-economic conditions should be described if potentially impacted by changes enacted during the entire timeline of the project.

**Permits and
Approvals**

Report in: EAAR, EASR

Provide information on the status of the required environmental permits and approvals necessary to undertake the project (e.g., rights of way, fisheries, navigable waters, soil transport, harvest permits, etc.)

When available, include correspondence and/or approvals from other government departments (e.g., Health Canada, Fisheries and Oceans Canada, Environment Canada, etc.).

Accessory Activities

Report in: EAAR, EASR

Accessory activities planned during the design stage must be assessed (i.e., geotechnical surveys, etc.).

Note: Accessory activities planned during feasibility must be summarized in the feasibility stage of the proposal.

**Literature Review/
References**

Report in: EAAR

Provide a list of information sources used.

4.0 Samples of Reporting Requirements

Below is a sample of an optional outline to the EA Analysis Report (Figure 1) and a sample Summary Table (Table 2).

Figure 1. Example of an EA Analysis Report outline.

1. Introduction
 - a. Background
 - b. Scope
 - i. EA Scope
 - c. Proponent/ Consultant Contact Information
2. Maps of Project Location(s)
3. Historical Context
4. Current Site Conditions
 - a. Methods
 - b. General Conditions
 - c. VECs
5. Project Activities
 - a. Activities Description
 - b. Impacts to VECs
 - i. Mitigation
 - c. Cumulative Effects
 - i. Mitigation
 - d. Accessory Activities
6. Indigenous and Public Consultation
7. Permits and Approvals
8. References
9. Appendices
 - a. Project Design
 - b. Operation and Maintenance Documents
 - c. Permits and Approvals
 - d. Photographs
 - e. Summary Table

Table 2. Example of a Project Summary table.

VEC	Related Project Activities	Environmental Impacts	Proposed Mitigation Activities	References	SAY Approval
Surface Water	Excavation	Silt run off	<ul style="list-style-type: none"> ▪ Silt fencing (location) ▪ No excavation during periods of significant rainfall (>10mm) ▪ All equipment will meet high standards for operation (i.e., no leaks) ▪ Spill kit to be maintained in work area 	<ul style="list-style-type: none"> ▪ Design drawing #XXX ▪ DFO authorization (see X) ▪ Contract section X and X 	Yes OR Adjustments Needed (provided to applicant)
Groundwater	Hazardous waste storage	Possible groundwater contamination	<ul style="list-style-type: none"> ▪ Proper storage facilities with impermeable floor. 	<ul style="list-style-type: none"> ▪ Engineer plan X 	Yes
Cultural & Heritage Resources					
Other (describe)					