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DP 074-1

2011-11-09

DIRECTIVE ON STRATEGIC ENVIRONMENTAL ASSESSMENT

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1. EFFECTIVE DATE

This departmental directive takes effect on: 2011-11-09



2. CONTEXT

The Government of Canada's commitment to sustainable development involves the integration of environmental, economic and social analyses into its major decision-making processes.

In support of this commitment, the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals (hereafter referred to as the Cabinet Directive), requires the integration of strategic environmental assessment (SEA) into existing decision-making processes to ensure the early identification of important environmental effects, either positive or negative, for policy, plan and program proposals subject to ministerial or Cabinet approval, or when circumstances warrant. It aims to mitigate negative environmental effects and/or enhance positive environmental effects prior to a decision on, and the implementation of, a new or amended policy, plan or program.

The Canadian Environmental Assessment Agency's Guidelines for Implementing the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals link SEA to Federal Sustainable Development Strategy (FSDS) goals and targets established in response to the *Federal Sustainable Development Act* (FSDA). The Guidelines also require reporting on SEA practices in Reports on Plans and Priorities (RPP) and Departmental Performance Reports (DPR).

This directive supports the *PWGSC Environmental Policy (074)* by defining the framework under which departmental obligations related to the Cabinet Directive are to be met.



3. DIRECTIVE STATEMENT

Public Works and Government Services Canada must complete a SEA which includes:

- a preliminary scan for all policy, plan and program proposals submitted to an individual minister or to Cabinet for approval, or when circumstances warrant, to determine if important environmental effects, positive or negative, are likely to arise from their implementation;
- a detailed assessment when important environmental effects are identified through a preliminary scan.

Results of the preliminary scans and, if applicable, detailed assessments, will be incorporated into Memoranda to Cabinet, Treasury Board Submissions and other relevant documents.



4. SCOPE

This directive applies to policy, plan and program proposals submitted for approval to a minister or to Cabinet by PWGSC for its own initiatives that result in important environmental effects. It also applies to other policy, plan and program proposals, when circumstances warrant.

Circumstances that may warrant a SEA include, but are not limited to, proposals that support implementation of departmental goals in sustainable development, have strong public or media concerns about possible environmental consequences, or relate to aboriginal lands.

PWGSC is only responsible for conducting the SEA for its own policy, plan and program proposals. The Department is not responsible for those policy, plan and program proposals that it submits in support of other government departments' (OGD) initiative(s), in which case responsibility for conducting the SEA resides with the OGD. As a co-signatory to a proposal PWGSC is, however, jointly accountable for ensuring that a SEA has been conducted, where appropriate.

In special cases, including emergencies and certain previously assessed proposals, exemptions may apply; conditions for exclusion are described in [Annex A](#).



5. DEFINITIONS

See [Annex B](#)



6. RESPONSIBILITIES AND ACCOUNTABILITIES

1. The Deputy Minister is responsible for:
 1. ensuring that environmental effects, including those that relate to FSDS goals and targets, are considered in all relevant policy, plan and program proposals subject to ministerial or Cabinet approval;
 2. communicating to all branches and regions their obligations under this directive.
2. Sponsoring Branch Heads and Regional Directors General are responsible for:
 1. ensuring that the potential important environmental effects, including implications for FSDS goals and targets, of policy, plan and program proposals to be submitted for ministerial or Cabinet approval, are assessed through a preliminary scan and, when required, through a detailed assessment;
 2. ensuring that OGDs and agencies are advised of their SEA requirements at the onset of the Cabinet proposal process when a proposal is to be co-signed by PWGSC but pertains to a policy, plan or program led by another department or agency;
 3. ensuring that the results of preliminary scans and, when required, detailed assessments, are incorporated into proposals to be submitted for ministerial or Cabinet approval;
 4. preparing and publishing a public statement of environmental effects when a detailed assessment is completed, in accordance with the Cabinet Directive and the Framework for Managing PWGSC Communications;
 5. providing copies of preliminary scans and detailed assessments to the Strategic Policy and Planning Sector (SPPS) to support SEA reporting in RPPs and DPRs.

3. The Strategic Policy and Planning Sector is responsible for:
 1. advising the sponsoring branch of the requirements of the Cabinet Directive at the outset of the Cabinet proposal process including the requirement that a preliminary scan be completed;
 2. working with the sponsoring branch to incorporate the results of preliminary scans and, if applicable, detailed assessments into policy, plan and program proposals;
 3. providing data to the Office of Greening Government Operations (OGGO) on proposals requiring SEA attention for ongoing evaluation and DPR reporting purposes;
 4. supporting OGGO in coordinating and monitoring the implementation of this directive as well as collecting and evaluating results on an ongoing basis.
4. The Office of Greening Government Operations (OGGO) is responsible for:
 1. providing advice to branches and regions on an 'as needed basis' on the application of the Cabinet Directive;
 2. developing guidelines and other tools, as appropriate, in support of this directive;
 3. coordinating and monitoring implementation of this directive as well as collecting, and evaluating results on an ongoing basis;
 4. coordinating SEA reporting in RPPs and DPRs;
 5. updating this directive, as applicable.
5. Environmental Services Directorate (ESD), Real Property Branch (RPB), is responsible for:
 1. supporting OGGO in the provision of technical advice to sponsoring branches on the application of the Cabinet Directive, including issues related to hiring contractors to conduct detailed assessments;
 2. managing RPB's SEA activities as noted under section 3 above;
 3. supporting SEA reporting in RPPs and DPRs.



7. COMPLIANCE AND REPORTING

The Department must prepare a public statement of environmental effects, including impact on FSDS goals and targets, when a detailed assessment has been conducted for a policy, plan or program proposal that has been submitted for ministerial or Cabinet approval.

The Department is also responsible for reporting on the extent and results of its SEA practices in its RPPs and DPRs. This reporting should include a description in the DPR of how policy, plan and program proposals subject to this directive have affected or are expected to affect progress towards the FSDS goals and targets.

OGGO, with support from SPPS, will monitor departmental compliance with this directive on an ongoing basis using relevant performance indicators. Performance indicators will include the following:

- number of preliminary scans compared to total number of policy, plan and program proposals submitted to a minister or to Cabinet for approval;
- percentage of policy, plan and program proposals submitted to a minister or to Cabinet for approval that have integrated the findings of a SEA;
- number of public statements compared to number of detailed assessments.



8. PROCEDURE

PWGSC's procedure for complying with the Cabinet Directive is as follows:

1. At the outset of a new proposal that PWGSC submits for ministerial or Cabinet approval for its own initiative(s), an SPPS analyst will raise the issue of SEA within the context of the overall requirements for ministerial or Cabinet proposals with the PWGSC sponsoring branch.

(Note: Sponsoring branches, when developing policy, plan and program proposals for ministerial or Cabinet approval, with or on behalf of OGDs and agencies, will ensure that the PWGSC SEA responsibilities are addressed.)

2. The PWGSC sponsoring branch will review the proposal to determine its applicability to the Cabinet Directive and complete the preliminary scan checklist, including the rationale for the decision made.
3. PWGSC sponsoring branches that require assistance in completing the preliminary scan checklist will be directed to OGGO for information and advice.
4. If important environmental effects, either positive or negative, are identified through the completion of the preliminary scan checklist, the PWGSC sponsoring branch will complete a detailed assessment. If the sponsoring branch requests

assistance, OGGO, with technical support from ESD, will advise the PWGSC sponsoring branch on how to proceed with conducting the detailed assessment.

5. The PWGSC sponsoring branch will have the preliminary scan checklist and, when completed, detailed assessment, signed by a director or higher level authority within the branch and provide a copy to the appropriate SPPS directorate (i.e. Strategic Policy and Cabinet Affairs for Memoranda to Cabinet or Treasury Board Affairs for Treasury Board Submissions).
6. The PWGSC sponsoring branch will incorporate the results of the preliminary scan and, when completed, detailed assessment into the ministerial or Cabinet proposal.
7. SPPS will work with the PWGSC sponsoring branch to ensure that the results are properly addressed in the Cabinet proposal.
8. If a detailed assessment is completed, the PWGSC sponsoring branch will prepare and publish a public statement of environmental effects in accordance with the Framework for Managing PWGSC Communications and with the Cabinet Directive guidelines.
9. The PWGSC sponsoring branch will ensure the identification and implementation of appropriate mitigation measures (for potential important negative effects) and/or enhancement measures (for potential important positive effects), to respond to the environmental effects likely to result from the implementation of the policy, plan or program.
10. SPPS will track the application of SEA to Cabinet documents and provide data to OGGO for evaluation and reporting purposes.
11. OGGO will monitor and evaluate the implementation of this directive.
12. OGGO will coordinate RPP and DPR reporting on SEA.



9. REFERENCES

Acts and Regulations:

- [Canadian Environmental Assessment Act](#);
- [Federal Sustainable Development Act](#).

Canadian Environmental Assessment Agency Publication:

- [Guidelines for implementing the Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals](#).

PWGSC Publications:

- [Framework for Managing PWGSC Communications](#);
- [Integrated Risk Management Policy \(082\)](#);
- [Preliminary Scan Checklist](#);
- [Preliminary Scan Checklist Guideline](#);
- [PWGSC Environmental Policy \(074\)](#).



10. ENQUIRIES

Director General
Office of Greening Government Operations
Corporate Services and Strategic Policy Branch
Telephone: 819-956-3334

Director General
Strategic Policy and Planning Sector
Corporate Services and Strategic Policy Branch
Telephone: 819-956-0893

Original Signed by
François Guimont

François Guimont
Deputy Minister and
Deputy Receiver General for Canada



ANNEX A - PROPOSALS EXEMPTED FROM A DETAILED ASSESSMENT

There may be policy, plan and program proposals submitted for ministerial or Cabinet approval for which a detailed assessment will not be required. Where a special case is claimed, the preliminary scan checklist must be completed and the rationale behind the decision must be documented on the checklist. The following constitute such special cases:

1. proposals prepared in response to a clear and immediate emergency, such as a matter of national security, a natural disaster or a medical epidemic, where time is insufficient to undertake a SEA (ministers are responsible for determining what constitutes an emergency);
2. where the matter is of such urgency, for example, for the economy or a particular industrial sector, that the normal process of Cabinet consideration is shortened and even a simplified SEA cannot be undertaken; or
3. proposals being prepared in response to issues that have previously been assessed for their environmental impact, such as an initiative that is a subset of a policy, plan or program that was previously assessed; or Treasury Board submissions on matters already assessed under a previous proposal to Cabinet, or assessed as a project under the *Canadian Environmental Assessment Act*.

ANNEX B - DEFINITIONS

Detailed assessment (*évaluation détaillée*) refers to an in-depth examination of the potential positive and/or negative environmental effects of policy, plan and program proposals. It is required when a preliminary scan identifies that the proposal may result in an important environmental effect or when there is a high level of uncertainty or risk regarding the potential environmental effects.

Environment (*environnement*) is defined as the components of the earth, including:

1. land, water and air, as well as all layers of the atmosphere;
2. all organic and inorganic matter and living organisms;
3. the interacting natural systems that include components referred to in paragraphs 1 and 2.

Environmental effect (or environmental impact) (*effet environnemental* [ou *impact environnemental*]) in respect to an activity or operation, is defined as:

1. any change whether positive or negative, that the activity or operation may cause in the environment, including any effect on socio-economic conditions, on environmental health, physical and cultural heritage or on any structure, site or thing including those of historical, archaeological, paleontological or architectural significance;
2. any change to the activity or operation that may be caused by the environment.

Federal Sustainable Development Strategy (*Stratégie fédérale de développement durable*) is a framework for sustainable development planning and reporting which provides a whole-of government picture of actions and results in achieving environmental sustainability.

Mitigation (*mesures d'atténuation*) means the elimination, reduction or control of the adverse environmental effects of the policy, plan or program, including restitution for any damage to the environment caused by such effects through replacement, restoration, compensation or any other means.

Preliminary scan (*analyse préliminaire*) is a high level consideration of a proposal to determine if its implementation is likely to have important positive or negative environmental effects.

Public statement of environmental effects (*déclaration publique d'effets environnementaux*) means a statement that is made at the time that the policy, plan or program is announced, summarizing the findings of a detailed assessment of environmental effects, including the results of any consultations and noting any enhancement, mitigation or follow-up measures. The statement may be included as part of a general announcement by the government concerning the policy, plan or program, or it may be a stand-alone document that explains the results of the SEA.

Sponsoring branch (*direction générale responsable*) refers to a PWGSC branch or region responsible for preparing the ministerial or Cabinet proposal.

Sponsoring branch head (*chef de direction générale responsable*) is the head of a sponsoring branch including an assistant deputy minister, a chief executive officer, the Senior General Counsel, a regional director general and a director general reporting to the Deputy Minister.

Strategic environmental assessment, SEA (*évaluation environnementale stratégique, EES*) means the systematic and comprehensive process of evaluating the environmental effects of a policy, plan or program proposal and its alternatives. SEA is a two-step process involving:

1. a preliminary scan of a policy, plan or program proposal to determine if important environmental effects are likely to arise from its implementation; and
2. a detailed assessment of environmental effects, where a preliminary scan concludes that such effects are likely to be important.

Sustainable development (*développement durable*) means development that meets the needs of the present, without compromising the ability of future generations to meet their own needs. (Source: World Commission on Environment and Development / The Brundtland Commission)

