



## Annex A Statement of Work\_21-0254

### Standing Offer for Parks Canada Detailed Impact Assessment

#### 1. Background

This Statement of Work (SOW) sets out the requirements for a Standing Offer between Parks Canada and a consulting company (the consultant) for the completion of detailed impact assessments (DIAs) for select Parks Canada projects. These yet-to-be determined projects are anticipated to be infrastructure projects to be undertaken on Parks Canada properties, where Parks Canada is the proponent.<sup>1</sup> It is estimated that between one and five DIAs will be prepared per year in accordance with the *Impact Assessment Act* and the *Parks Canada Directive on Impact Assessment 2019* (the “IA Directive”).

DIAs are Parks Canada’s most comprehensive level of impact assessment. They are applied to complex projects where potential impacts are uncertain, or there is a potential for controversy, or where adverse effects on values of importance to Indigenous peoples are likely. DIAs involve Indigenous, stakeholder and public engagement, and although this contract does not include work to undertake this engagement and consultation, the outcome of both must be incorporated into the DIA report.

#### 2. Scope of Work

Parks Canada DIAs differ from the impact assessments prepared for industry or for other government departments. Our mandate to protect and present nationally significant examples of Canada's natural and cultural heritage create obligations for impact assessment that are unique. DIAs prepared under this Standing Offer will assess the environmental effects of projects on valued components (VCs), where “environmental effects” are broadly defined as changes to natural or cultural resources that impair their value in the context of Parks Canada’s mandate. Effects may also include, in accordance with legislated and mandated requirements, impacts to key visitor experience objectives, impacts to rights and interests of Indigenous peoples, as well as impacts on health, social or economic conditions as a result to a change in the environment.

The significance of Parks Canada environments, combined with high levels of public interest, require that the DIAs prepared for our projects are always transparent, defensible, and accessible to the public and our Indigenous partners. DIAs will be focused on the VCs at greatest risk, and on the desired outcomes<sup>2</sup> and evidence-based analysis associated with those VCs. The analysis of higher risk project-VC interactions will be subject to a higher standard of proof with respect to Western scientific evidence, and the use of Indigenous knowledge will be subject to guidance from Indigenous knowledge holders.

For each DIA, details regarding the specific impact assessment requirements for the project will be specified in a Terms of Reference (ToR), to be prepared by Parks Canada and provided to the consultant. The ToR will provide explicit direction to the consultant on the following:

- Expectations regarding the legislated standards that apply to the DIA, including approvals, licences and permits

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<sup>1</sup> Hypothetical examples of typical Parks Canada infrastructure projects are road expansions, substantive changes to outdoor recreation facilities, or campground expansions.

<sup>2</sup> For Parks Canada the desired outcomes for VCs are often expressions of previously established protection goals. For example, for a species at risk VC, the desired outcome may originate from the species Recovery Strategy. For other VCs, the desired outcome may be the result of input specific to the project from Parks Canada subject matter specialists.

- Scope of the assessment
  - The VCs to be assessed, and for each VC the desired outcome, thresholds and standard of proof or Indigenous knowledge requirements
- Any recommended preapproved routine impact assessments (PRIAs) applicable to the project
- Required communication protocols between parties involved in the assessment (e.g., Parks Canada Project Managers/Leaders, Impact Assessment Practitioners, Surveillance Officers, and various contractors and consultants, including engineers and design consultants)
- If necessary, a glossary of Parks Canada terminology to be used in the assessment
- Analysis of alternatives, or if to be addressed as part of the DIA, analysis of alternatives requirements
- Supplemental information reports (SIRs) or, if unavailable at the time of writing, SIR requirements
- Public engagement plans
- Indigenous engagement and consultation plans
- Draft DIA Document review requirements
- Environmental protection plan requirements

Parks Canada is responsible for making the decision on the significance of the environmental effects. The DIA document will include a Summary and Conclusions section where comments and recommendations regarding residual effects are such that Parks Canada can make determinations of significance that are objective and evidence based.

### 3. Requirements

The consultant must have the capacity to provide DIAs that satisfy Parks Canada legal and policy obligations related to impact assessment and that maintains Parks Canada's excellent reputation as a responsible steward of Canada's protected places. Because Parks Canada's DIA requirements are unique, the consultant will have a sophisticated knowledge and understanding of impact assessment principles, practices and methodologies, and the ability to apply these within the framework of the individual Parks Canada DIA ToRs, which are likely to differ from ToRs for more typical impact assessments. Regular and adequate oversight of work produced by consultant team members and any subcontractors by the consultant Project Lead to ensure conformance with Parks Canada's requirements and to maintain a high standard of product quality is expected.

Parks Canada has considerable in-house expertise related to the natural resources, cultural resources and visitor experience objectives that may be available for specific DIAs. However, the consultant should expect that certain DIAs may require technical expertise from subject area specialists not available within Parks Canada and the consultant should therefore have access to such expertise. The nature of the expertise will depend upon the circumstances of the individual DIAs.

All Parks Canada DIAs involve public engagement and the interests of these publics can be varied, ranging from internal/external technical specialists to general park visitors. The consultant must have the ability to produce DIA documents, including reports, maps, and other supportive materials that are technically sound, articulate and clearly written, concise, and professional in appearance.

The work will involve the impact assessment and the completion of the Draft DIA Document for each of the projects in accordance with this SOW and the ToR provided by Parks Canada for that specific DIA. Additional guidance to be followed in the production of DIA documents is located in Appendix 1 of this SOW. Note that most DIA documents are anticipated to be between 50 to 150 pages, plus appendices.

Because Parks Canada will be providing the site specific information relevant to each DIA, it is not necessary for consultants to travel to the site, or to conduct any supplemental studies or field work as part of this work.

#### **4. Contractor's Responsibilities**

##### **4.1 Departmental Representative**

The Departmental Representative is the liaison officer with the Consultant, and PCA. Unless otherwise requested by the Departmental Representative, the Consultant shall communicate with the Departmental Representative only.

##### **4.2 Coordination with Subconsultants**

Depending upon the circumstances on an individual DIA, the work may require that the Consultant subcontract expertise in a specialized discipline, for example French or English language skills, agronomy, wildlife biology, hydrology, or others.

The Consultant shall:

1. Throughout all phases of the project, assume responsibility for coordinating the work of any Sub-consultants and specialists retained by the Consultant,
2. Ensure clear, accurate and ongoing communication of work, budget, and scheduling issues (including changes) as they relate to the responsibilities of all Sub-consultants and specialists.
3. Ensure Sub-consultants provide adequate services and attend all required meetings

##### **4.3 General Deliverables**

For each DIA conducted under this Standing Offer, the consultant is responsible for the following:

- Provide all labour, materials, supplies, equipment and transportation required to undertake the work
- Satisfaction of the communication requirements established by the communications protocol from the DIA ToR, including the participation in regular meetings between the various parties involved in the assessment and the satisfaction of any associated reporting and documentation requirements (i.e. the maintenance and production of communication logs, meeting minutes, etc.)
- Depending on the individual DIA and the preference of the Parks Canada client, provide drafts of materials in either English or French for review by Parks Canada
- The incorporation of Parks Canada's review comments, suggestions and requirements into subsequent drafts of materials
- The incorporation of public and Indigenous review comments into subsequent drafts of materials
- Submitting all products electronically in the following formats:
  - o Microsoft Word and pdf files, graphics as standalone files as jpgs, gif, or png
  - o The final DIA report, including appendices, will also be produced as accessible pdf files in accordance with Government of Canada accessibility requirements, including text and graphics

#### **5. Constraints**

##### **5.1 Media**

The consultant shall not respond to requests for project related information or questions from the media. Such inquiries are to be directed to the Departmental Representative.

## **6. Parks Canada's Responsibilities**

For each DIA, Parks Canada will provide to the consultant:

- Name, title and contact information of the Parks Canada contact person for the DIA, thereby supporting a single contact point for project-related communications
- Provision of specific project description information of relevance to the assessment (e.g., proposed facilities, construction, operation, decommissioning and abandonment)
- Environmental information relevant to the DIA, including information related to natural resources, cultural resources, and visitor experience
- Information relevant to the DIA from public participation undertaken in relation to the project
- Information relevant to the DIA from Indigenous engagement and consultation undertaken in relation to the project, including shared Indigenous knowledge.
  - o Any restrictions related to the documentation of Indigenous knowledge or other information will be communicated
- A DIA Terms of Reference
- The review of drafts submitted by the consultant within a timeframe consistent with the agreed upon DIA schedule

## **Appendix 1**

### **Guidance for Writing Parks Canada DIA Documents**

Appendix 1 provides some basic guidance to IA practitioners tasked with writing Parks Canada DIA documents. Although DIAs prepared by consultants must follow a Parks Canada DIA ToR, most will conform to a generalized organizational structure. This structure, as well as guidance regarding content, is described in the following sections. Note that this guidance is not exhaustive, and individual Parks Canada DIAs may require the inclusion of additional sections in the DIA document to fully satisfy impact assessment requirements.

Consultants should be aware that all draft DIAs are subject to a number of reviews, including an internal Parks Canada specialist review, usually led by the Parks Canada Field Unit (FU) IA Practitioner. At a minimum, the public and interested Indigenous groups also have an opportunity to review the draft DIA document and provide comment.

#### **Executive Summary**

The DIA will include an Executive Summary that concisely describes the project, the key issues addressed in the DIA, and for each key issue, the outcome of the analysis. The contributions of public participation and Indigenous engagement and consultation will also be acknowledged.

#### **Project Description**

The project description will have enough detail and certainty that potential project-environmental interactions can be readily identified. However, it is not necessary, feasible or even desirable in most cases to provide final design-level detail. Preliminary design is often enough to base the impact assessment on, and it leaves room to adjust project design and implementation to mitigations that result from the DIA process. The project description should cover project development activities, construction or implementation, operation, and post-project activities. Of these phases, project construction is often emphasized, while long-term operations and post-project activities such as routine maintenance requirements are often underemphasized. Yet long-term and cumulative impacts will most often result from project operations. Ensuring that the operations and post-project activities phases are adequately addressed will be a key consideration in the development of the ToR, in review of consulting proposals, and in early internal review of draft DIA documents.

#### **Description of Environment**

Many assessment documents contain lengthy, in-depth and unfocused descriptions of the overall environment, which often have little relevance to the project at hand. While it is useful to provide an overview of the project environment at this stage of the document, a lengthy and detailed description of the environment is not necessary, useful or desirable for a Parks Canada DIA.

For the most part, Parks Canada ecosystems and environments are well known and recorded in a wide variety of documents ranging from “State of” reports and park management plans to biophysical descriptions, internal and external research reports, strategic assessments and other impact assessments, resource and fire management strategies, species at risk recovery strategies, and more.

The primary purpose of the Description of Environment at this point in a DIA document is to provide an overview and introduction to environmental features and sensitivities at a variety of scales such as site, local, and landscape scales that are pertinent to the project at hand. The description should provide good reference to the research and evidence backing the description, and assurance to the reviewer or reader that there is sound background information from which to base the assessment process on.

The Description of Environment is important as the first environmental information presented in the DIA document. As such, it is important that the information presented is clearly connected and relevant to the project. The Description of Environment provides one opportunity wherein a DIA can be adapted to focus and streamline the assessment documentation. It should be noted that more detailed environmental information will be documented with the scoping and selection, and with the analysis of VCs.

### **Scoping and Valued Components**

The scoping section of a DIA is very important. Scoping includes the identification of project-environmental interactions, the identification of VCs, and the supporting rationale for those components. The scoping section also includes the initial application of the evidence-based decision-making model, the standards of proof, and the level of risk or importance assigned to a VC. This scoping process establishes the foundation for the impact analysis.

This section is also where additional and more detailed environmental information and research salient to the selection and rationale of VCs is documented. For example, the Description of Environment may have simply noted that species X was one of several species at risk within the local project area, whereas the scoping section would describe the potential project interactions with species X, rationalize species X as a VC, and develop the desired outcomes and standard of proof for species X, supported as appropriate by additional information or research.

Defining the scoping information necessary for the completion of the assessment is done in advance of the actual conduct of the assessment. Under most circumstances, this task will fall to Parks Canada. The IA Practitioner then prepares a DIA ToR that serves to both document and communicate the scoping information to consultants, other staff, Indigenous partners, and stakeholders interested in the assessment. However, DIA scoping should not be considered static. One of the tasks of the consultant carrying out the assessment will be to confirm and add additional information, considerations or supporting evidence to this part of the DIA process and document.

### **Impact Analysis**

The analysis of impacts is the core of a DIA. Specific approaches and methodologies for analysis of project-VC interactions are the purview of the IA practitioners, both within or external to Parks Canada, and may have been part of the ToR or consulting proposals.

Analysis and documentation in this section should be focused on the VCs. The amount of information and analysis should be adapted to each VC based on level of risk and importance. Any difference in analysis between VCs or categories of VCs such as high risk versus low risk should be made clear.

In general, documentation of the impact analysis should attempt to clearly illustrate:

- Analysis on how the project will affect or change the VC, and by how much
- Analysis of cumulative effects specific to the VC

- Predictions on how the impacts can be most effectively mitigated
- What the residual impacts are likely to be
- How residual impacts compare to desired outcomes and threshold measures for the VC

### Other Sections

The DIA document will, as required in the ToR, include other sections for particular topics that are not covered in the core sections outlined above. These will include sections on:

- Consideration of alternatives<sup>3</sup>
- Indigenous engagement and consultation
  - See **Impacts to Indigenous Peoples and Rights** (see below)
- Indigenous knowledge
- Public engagement
  - See **Public Engagement** (see below)
- Overall project cumulative effects
- Authorizations and permitting
- Follow-up monitoring

The need for additional documentation is ideally determined as part of the DIA ToR and in proposals submitted by an external IA practitioner or a consultant.

### Impacts to Indigenous Peoples and Rights

A Parks Canada DIA will include a section entitled **Impacts to Indigenous Peoples and Rights**, the purpose of which is to explicitly document changes to the DIA arising from the consultation.

- a. Recommended organization of the information in this section is as follows:
  - i. Impacts to Indigenous Peoples and Rights
    - Subsection 1:
      - a. Concise summary of the consultation process
      - b. Description of how the Indigenous engagement and consultation changed or influenced the DIA (e.g., changes to the alternatives considered, accommodations made in relation to the duty to consult, any specific changes to the VCs considered, etc.)

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<sup>3</sup> The consideration of alternatives is discretionary, except in cases where residual adverse effects to SARA species require a permitting process. In cases where the DIA does not formally include the consideration of alternatives, the justification for this decision should be documented.

- Subsection 2:
  - a. Summary of the potential impacts of the proposal to Indigenous peoples
  - b. Summary of the potential impacts of the proposal to Indigenous rights
  - c. Note that both of the above summaries are in addition to the incorporation of information contained in the body of the DIA

### **Public Engagement**

All comments obtained from the public on the draft DIA will be reviewed and summarized in a section of the DIA entitled **Public Engagement**, the purpose of which is to explicitly document changes to the DIA arising from the engagement. The recommended organization of the information in this section is as follows:

- a. Concise summary of the engagement process
- b. Description of how the public engagement changed or influenced the DIA (e.g., changes to the alternatives considered, any specific changes to the VCs considered, etc.)