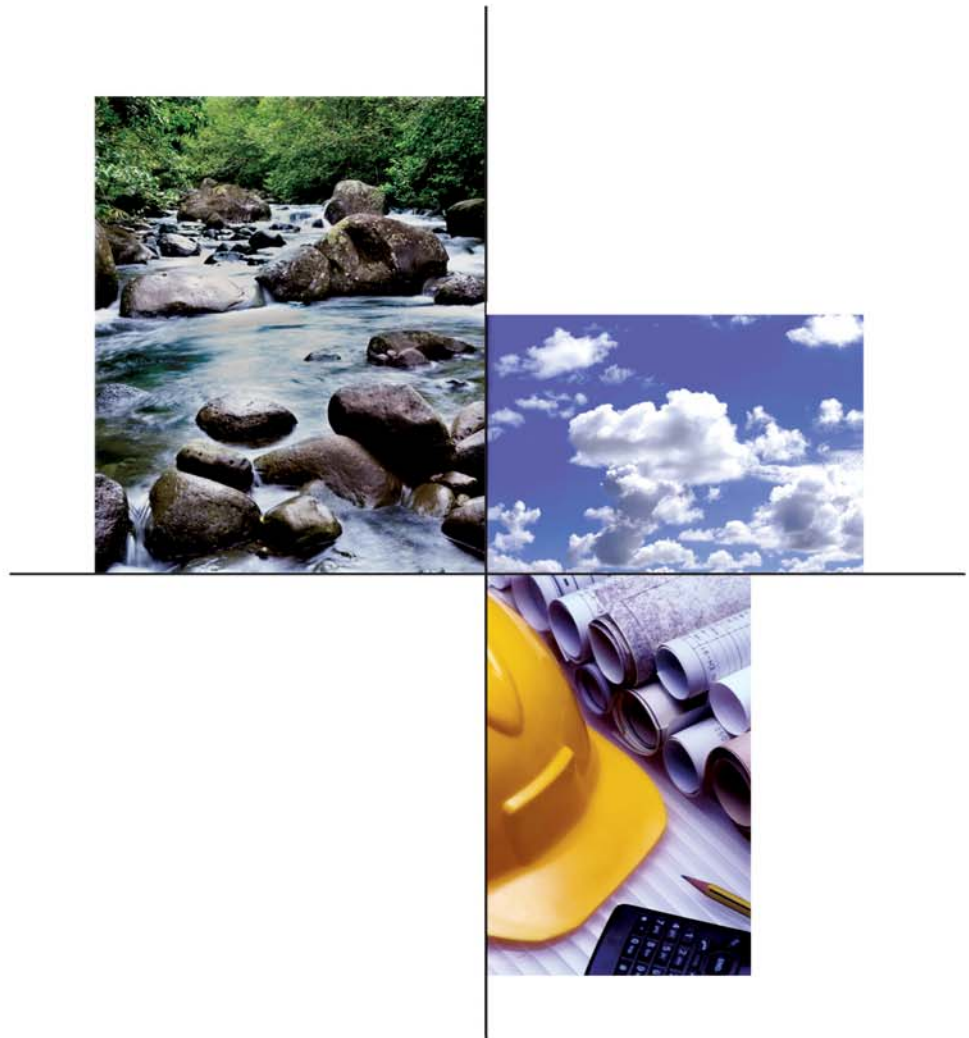




Public Participation Guide

*A Guide for Meaningful Public Participation in Environmental Assessments
under the Canadian Environmental Assessment Act*



May 2008



Document Information

Disclaimer

This guide is for information purposes only. It is not a substitute for the *Canadian Environmental Assessment Act* (the Act) or any of its regulations. In the event of any inconsistency between this guide and the Act or regulations, the Act or regulations, as the case may be, would prevail.

To ensure that you have the most up-to-date versions of the Act and regulations, please consult the Department of Justice Web site at <http://laws.justice.gc.ca/en/C-15.2/index.html>.

Updates

The Canadian Environmental Assessment Agency (the Agency) may periodically review and update this document. To ensure that you have the most up-to-date version, please consult the Guidance Materials page of the Agency's Web site at www.ceaa.gc.ca/012/newguidance_e.htm.

Copies of this guide

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Alternative formats may be requested by contacting:
publications@ceaa-acee.gc.ca.

Comments and feedback

The Agency would appreciate receiving comments on the content of this guide and feedback regarding whether the guidance effectively meets your needs. Comments received will be considered for future updates.

Please submit your comments to training.formation@ceaa-acee.gc.ca.

Acknowledgments

The Praxis Group™ initially drafted portions of this work for the Agency. The Agency further developed the guidance with the involvement of subcommittees of the multi-stakeholder Regulatory Advisory Committee (RAC) and the inter-departmental Senior Management Committee on Environmental Assessment (SMCEA), both chaired by Tamara Skillen-Haynes of the Agency.

The Agency would like to acknowledge the many subcommittee members for their participation and input. Their participation has contributed significantly to the development of this guidance. Many comments and suggestions were proposed during subcommittee meetings and have been integrated into this document.

Dialogue Partners Inc., led by Stephani Roy McCallum, conducted a review and revision of the guide, following international standards and best practices set by leading organizations, such as the International Association of Public Participation (IAP2).

Table of Contents

Contents

This guide is divided into six chapters according to suggested audiences and topic areas. This structure is intended to be modular, allowing a reader to read and use chapters on an as-needed basis.

Although presented in a sequential manner, each chapter may be read and used as a stand-alone document. Readers are encouraged to review all chapters of this guide in sequence; however, if time does not allow, the suggested target audience below may help direct readers to text that is directly relevant to their needs and responsibilities.

Target Audience	Topic
All readers	Chapter 1. Fundamentals of Public Participation in EA
Federal authorities	Chapter 2. Determining if Public Participation Is Appropriate in a Screening
	Chapter 3. Public Participation Responsibilities in a Screening
Practitioners	Chapter 4. Planning for Public Participation
	Chapter 5. Implementing Public Participation
	Chapter 6. Evaluating the Process and Communicating Outcomes
	Annex A. Public Participation Activities and Techniques
	Annex B. References and Resources

Guide Overview

Origin of the guide

In the report, *Strengthening Environmental Assessment for Canadians*, the Minister of the Environment proposed three goals for a renewed and revitalized federal environmental assessment (EA) process. One of those goals was to increase opportunities for more meaningful public participation.

In response to this goal, a commitment was made to develop ministerial guidelines to establish criteria for responsible authorities to consider when determining whether public participation in a screening is appropriate.

The *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act* is now available on the Agency's Web site (www.ceaa-acee.gc.ca). The Ministerial Guideline establishes the criteria mentioned above and sets out key elements for meaningful public participation.

During the preparation of the Ministerial Guideline, the Agency committed to developing further guidance material on public participation. The publication of this guide addresses that commitment.

Purpose of guide

This guide provides an explanation of the requirements for public participation under the *Canadian Environmental Assessment Act*, particularly in the context of screenings. As well, it presents best practices and tools for planning, implementing and evaluating meaningful public participation.

Intended audience

This guide is primarily intended for federal authorities and EA practitioners who are responsible for decisions and activities related to public participation, particularly in the context of screenings.

Proponents, consultants, regulated bodies and members of the public may also find this guidance useful for understanding the obligations and considerations of the federal government in relation to public participation in federal EA screenings.

Application of guide

This guide addresses a responsible authority's public participation responsibilities, particularly in the context of screenings. It does not specifically address any obligations for public involvement that other parties (e.g., regulated authorities or proponents) may have under other regulations or processes; though it may be helpful for providing general guidance in those circumstances.

Although this guide presents the information in the context of screenings, the suggested approaches and tools may be applied to any scale of EA if appropriate in the circumstances. Depending on the circumstances of your EA, you may find that certain activities are not necessary for your situation.

Symbols in this guide

To help you quickly navigate through this guide, watch for symbols that identify certain types of advice or useful information.



This symbol highlights a **key message** that you will want to remember.



This symbol points to a special **word of caution** to which you should pay special attention.



This symbol indicates a brief **checklist** of things to do to put an idea into practice.



This symbol indicates an **example or case study** from which you may learn.



This symbol points out a **tip** that will help you fulfil your responsibilities.



This symbol identifies a list of **questions** to ask yourself to make sure you have covered key points.

Related guidance

Annex B provides a list of related Agency guidance that may be useful. All related Agency documents are available on the Guidance Materials page of the Agency's Web site (www.ceaa.gc.ca/012/newguidance_e.htm).

You are also encouraged to refer to outside sources for additional tools and guidance. Annex B also lists some additional references and Web resources that you may find informative.

Additional information

If you would like further information or advice about the topics covered in this document, please visit the Agency's Web site (www.ceaa-acee.gc.ca) or contact the Agency office in your region.

Chapter 1. Fundamentals of Public Participation in EA

Chapter Overview

Purpose of Chapter 1

This chapter gives a broad overview of public participation as it relates to the federal environmental assessment (EA) process. Specifically, this chapter introduces:

- public participation terminology used in the *Canadian Environmental Assessment Act*;
 - public participation requirements for each type of federal EA;
 - opportunities for the participation of Aboriginal peoples in federal EAs and other legal duties to consult Aboriginal peoples; and
 - key elements of meaningful public participation.
-

Contents

This chapter contains the following main parts:

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Intended audience

This chapter is intended for anyone who would like a basic understanding of public participation terminology and the obligations of the federal government in relation to meaningful public participation in federal EA.

Part 1. An Introduction to Public Participation Terminology

What is public participation?

Public participation is a general term for any process that involves public input in decision making. It involves the process or activity of informing the public and inviting them to have input into the decisions that affect them.

The focus of public participation is usually to share information with, and gather input from, members of the public who may have an interest in a proposed project. In the context of federal EA, the intention of public participation is usually to ensure that those who must make decisions during and after the EA process are well informed.

Public participation terminology

Terms such as “participation,” “consultation,” “involvement” and “engagement” are often used interchangeably, although they may mean different things to different people.

To develop a common usage of language and to be consistent with the broader vocabulary of public participation practitioners, this guide explains the terms used in the Act in a manner that is consistent with the International Association for Public Participation (IAP2).



The IAP2 uses specific terminology such as “inform,” “consult” and “involve” to describe levels of public participation that have a corresponding increase in the opportunity for public input to influence or impact the process.

Chapter 4 explains the various levels of public participation and the techniques that may be used to implement each in more detail.

Terms used in the Act

The *Canadian Environmental Assessment Act* uses different terminology to distinguish between approaches for informing the public and involving the public in an EA process.

The following terms, which are used in the Act but are not defined, are explained in this section.

- Public
 - Public notice
 - Public access
 - Public consultation
 - Public participation
-

Who is “the public”?

The Act’s use of the term “public” applies to all members of the civic population, including Aboriginal peoples.

In most cases, a member of the public or a group, who may participate in an EA process, is an “interested party”. In relation to an EA, the Act defines an “interested party” as “*any person or body having an interest in the outcome of the EA for a purpose that is neither frivolous nor vexatious*”.

In the context of an EA, an interested party may be any person or group of people with an interest to protect, a stake in an issue, or knowledge to contribute. Interested parties have interests of varying degrees and for any one project there can be a broad range of interested parties, ranging from parties who will be directly affected by a proposed project to individuals or organizations with more general interests about issues related to the project.

For suggestions on how to identify key interested parties, see Chapter 4, “Planning for Public Participation.”

The public outside of Canada



The Act does not specifically include or exclude any member of the public from participating in opportunities for public participation in an EA. Thus, a responsible authority may provide public participation opportunities to both Canadians and non-Canadians, regardless of the location of the proposed project.

For the assessment of projects undertaken outside Canada and any federal lands, the foreign operational environment, laws and policies may influence the use of discretion by responsible authorities under the Act and regulations with respect to public participation. Consequently, public participation methods used outside Canada and any federal lands may differ from domestic methods and may differ between engaging Canadians and engaging the public outside of Canada for a particular project.

Public notice

Public notice is usually characterized by one-way flow of information from a responsible authority, or a body acting on its behalf, to the public.

The objective of public notice is usually to provide information to the public and to raise awareness of the project or process so the public is informed. In the EA context, this typically involves notifying the public about an aspect of the EA, such as its commencement date, status, scope, location of documents or details about opportunities for participation.

Because notification is a one-way flow of information, alone it does not constitute public participation (i.e., through notice alone, the public has no opportunity to be involved with, or have input into, the EA process). Nonetheless, public notice may constitute the appropriate level of activity for

a project where public participation may not be appropriate.

Where a responsible authority determines that public participation is appropriate, notification is an important technique that can be used to share information about the proposed project and inform people about future opportunities for participation. When used in this manner, timely and adequate public notice is an essential element of public participation and is critical for the public participation to be meaningful.

Notices on the Registry



As a minimum requirement under the Act, public notices for EAs are included in the Canadian Environmental Assessment Registry.

The Registry consists of project files and an Internet site. A responsible authority must post public notices on the Internet site in both official languages and include them in the project file. For example, when a responsible authority starts an EA, it must post a notice of commencement giving basic information about the project on the Registry Internet site. In some cases, a public notice may trigger public interests or comments, helping the responsible authority to determine the level of public interest in a project.

If a responsible authority determines that interested parties are not likely to become aware of the posting through the Internet site, then it is good practice to distribute such notices through other means as well (e.g., news releases, radio or print advertising).

Note: The Registry Internet site can be accessed on the Agency Web site at www.ceaa.gc.ca/050/index_e.cfm.

Public access

Convenient public access to records relating to EAs is a requirement under section 55 of the Act. The objective is usually to make information easily accessible to the public so they can increase their understanding or stay informed about the proposed project and the EA process.

As a minimum requirement under the Act, information or “records” relating to EAs are accessible through the Registry. The Registry project file should contain all records produced, collected or submitted in relation to the EA. If a member of the public requests a record, a responsible authority must provide a copy of the record in a timely manner.

Although public access to records in the Registry can support future participation, access alone does not constitute public participation, as it does not provide the public with the opportunity to be involved with, or have input into, the EA process.

Similarly, public access to records alone does not ensure meaningful public

participation; however, meaningful public participation is not possible without an informed public; therefore, timely and adequate public access to records is an essential element of public participation and is critical for the public participation to be meaningful.

Records



Records are any documentary materials, regardless of medium or form. Records may include items, such as written documents, plans, maps, drawings, photographs, film, sound recordings and videotapes.

Public access to Registry records should only be limited in cases where the *Access to Information Act and the Privacy Act* apply.

For more details about what information should be accessible to the public, please refer to the *Guide to the Canadian Environmental Assessment Registry*, available at www.ceaa-acee.gc.ca.

Public consultation

Public consultation typically involves two-way communication between a responsible authority, or a body acting on its behalf, and the public.

Public consultation includes an active approach to providing the public with opportunities to express their knowledge and views on aspects of the EA. The intent of consultation is to raise awareness and understanding about a project or activity, and to receive public comments for consideration to make better, more informed decisions about proposed projects. With public consultation, a responsible authority, other stakeholders and the public may have the opportunity to listen to and learn about each other's plans, local knowledge, views, issues and expectations.

The most common method for consultation is a request for written comments on relevant documents; however, a responsible authority may use other techniques, such as questionnaires, surveys, panels and other means, that facilitate receiving and considering the comments from the public.

In the EA context, the overall outcome of public consultation is usually to improve the quality or verify the accuracy of the EA by considering public input on aspects of the EA, such as the proposed scope or the EA report itself. Unlike public notice and access to records, public consultation provides interested parties with opportunity to provide input into the EA process.

To be meaningful, public consultation should involve adequate public notice and public access to records relating to the EA.

Public participation

The general term “public participation” is used throughout the Act to mean public involvement in the EA process.

In accordance with the Act, public participation may include aspects of public notice and access to Registry records, but will also involve consultation or a higher level of engagement of the interested parties (e.g., more involvement or collaboration). For example, a responsible authority can provide opportunities for public participation through a wide spectrum of activities, such as workshops or advisory committees, that facilitate increased understanding and cooperation between stakeholders and interested parties.

Consultation as a type of participation



The Act does not define the terms “public consultation” and “public participation,” but implies that public consultation is one approach to providing opportunities for the public to participate in an EA process.

For example, under the label “public participation” paragraph 18(3)(b) of the Act refers to giving “*the public an opportunity to examine and comment on the screening report and any record relating to the project*”. This type of activity is commonly considered “public consultation,” though that term is not used in this section of the Act.

Note: 18(3)(c) of the Act allows flexibility for levels of participation higher than consultation. See Chapter 4, *Planning for Public Participation*, for examples of other levels of public participation that may be used.

Part 2. Requirements for Each Type of Federal EA

Different approaches for different EA types

Depending on the type of EA, a responsible authority may use a number of approaches to notify, inform, consult and involve the public. In many cases, a combination of approaches will be essential for meaningful public participation.

It is important for a responsible authority to ensure that it prepares a public participation plan that is appropriate in the circumstances and that provides meaningful opportunities for the public to participate.

Screenings

The degree to which the public can be involved in a screening can vary. Section 18(3) of the Act gives a responsible authority the discretion to determine if it is appropriate to provide opportunity for the public to participate in a screening given its specific circumstances.

If a responsible authority determines that public participation is appropriate, it must meet certain minimum obligations, such as providing adequate public notice, including records in the Registry, and providing an opportunity for the public to examine and comment on the screening report and any records relating to the EA.

A responsible authority may also go beyond the minimum requirements to provide opportunities for any type of public participation at any stage of the screening process (e.g., public involvement in scoping).

An EA decision is made after considering the screening report and any comments received.

The Ministerial Guideline



The *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act* (www.ceaa.gc.ca/013/006/ministerial_guideline_e.htm) was developed to assist in the application of the Act.

The Guideline establishes criteria for a responsible authority to consider when it is determining whether public participation is appropriate in a screening. It also outlines key elements for meaningful public participation.

Class screenings Class screening reports are subject to public consultation. The public must be notified and given an opportunity to comment on a proposed class screening report before it is declared.

The Agency must then take the public comments into account in making a decision about whether to declare the report as a class screening.

Comprehensive studies When a project is described in the *Comprehensive Study List Regulations*, public participation is mandatory.

Early on, public consultation is required to identify public concerns with respect to the proposed scope of the EA and other issues that may need to be considered. Comments received are incorporated into a report and recommendation to the Minister of the Environment regarding scoping and whether the project should continue to be assessed by means of a comprehensive study.

If the process remains as a comprehensive study, opportunities for public participation must be provided during the conduct of the EA, before completion of the comprehensive study report. Public comments at this point can help to identify important environmental issues and appropriate mitigation. Comments received are integrated into the analysis and report.

Once a responsible authority has submitted the comprehensive study report to the Minister and the Agency, public consultation is conducted to solicit comments on the comprehensive study report to assist in the Minister's EA decision.

For each public consultation activity, public notice and access to records relating to the EA are important elements of a fair and transparent process.

Assessments by review panels and mediations Opportunities for public participation must be provided as an essential part of the panel review and mediation processes, and must be accompanied by public notice and access to records relating to the environmental assessment.

Extensive public participation is a distinguishing feature of mediation and assessment by review panels. For example, in panel reviews, members of the public may participate to identify issues that need to be addressed and may appear before the panel in public hearings to present their evidence, concerns and recommendations.

*References in
the Act*



Appendix 1A provides an index of the sections of the *Canadian Environmental Assessment Act* that relate to public notice, access to Registry records, consultation and participation activities for each type of EA.

**Participant
funding**

The Canadian Environmental Assessment Agency administers the Participant Funding Program that supports individuals, Aboriginal groups and peoples, and non-profit organizations interested in participating in comprehensive studies, assessments by review panels or mediations. Funding supports eligible expenses, such as travel costs and fees for experts.

Refer to the Participant Funding Program Web page for more details on who is eligible, what expenses may be funded and how the program works (http://www.ceaa-acee.gc.ca/010/0001/0002/index_e.htm).

Part 3. Participation of Aboriginal Peoples and the Legal Duty to Consult

Public participation under the Act

The use of the term “public” in the *Canadian Environmental Assessment Act* does not specifically include or exclude any interested party from participating in public participation opportunities for an environmental assessment (EA).

This means that Aboriginal peoples may participate in the EA through opportunities provided for public participation.

Other legal requirements to consult Aboriginal peoples

In addition to public participation under the Act, governments may have other legal obligations to consult with Aboriginal peoples in certain circumstances.

For instance, the Supreme Court of Canada has ruled that the Crown has a legal duty to consult, and where appropriate to accommodate, when the Crown has real or constructive knowledge of the potential existence of Aboriginal rights or title, and the Crown contemplates conduct that might adversely affect those rights — whether those rights have been established (proven in court or agreed to in treaties) or whether there is the potential for rights to exist.

As well, there may be agreements that the Crown has entered into which require the Crown to engage in consultations with Aboriginal groups when a project is contemplated in specific circumstances. Examples include comprehensive land claim agreements, interim benefit agreements and self-government agreements. Statutes or regulations may also specifically require the Crown to consult with Aboriginal groups or Aboriginal governments in certain circumstances.

These legal obligations to consult Aboriginal peoples should be identified separately from the requirements for public participation under the *Canadian Environmental Assessment Act*; however, there may be overlap in how the obligations are carried out. For more information about this topic, please refer to Chapter 2, section 2.2 “Links to Aboriginal Consultation.”

Public participation and the Crown’s duty to consult

Regardless of any legal duty to consult Aboriginal peoples under the common law, if a responsible authority has determined that opportunity for public participation is appropriate or required for an EA, it is important to provide meaningful opportunities to all interested parties, including Aboriginal peoples.



The participation of Aboriginal peoples in the public participation process for an EA may contribute to fulfilling the Crown's legal duty to consult, because it can inform the Crown's consultations with Aboriginal peoples; however, the public participation process may not be sufficient to meet fully the Crown's legal duty to consult with Aboriginal peoples.

Likewise, fulfilling any common-law duty to consult with Aboriginal peoples may not be sufficient to fulfill the requirements under the Act to provide meaningful opportunity for the public to participate in the EA process.

**Additional
information**

Since the common-law duty to consult Aboriginal peoples is independent of the requirements of the Act, this guide does not address it in more detail.

If you have specific questions about Aboriginal consultation or need further information regarding your legal duties to consult, please contact your organization's legal counsel for advice.

Part 4. Elements of Meaningful Public Participation

Ensuring meaningful public participation

When providing opportunities for public participation, a responsible authority should ensure that the opportunities for public participation are meaningful.

This goal is set out in section 6 of the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act*, which states: “*The public should have an opportunity to have a say in decisions that affect their lives through a meaningful public participation process.*”

Key elements of meaningful public participation

Section 6 of the Ministerial Guideline identifies and describes eight key elements of meaningful public participation and states that public participation should exhibit all of the elements to be meaningful. The eight key elements are:

- early notification
- accessible information
- shared knowledge
- sensitivity to community values
- reasonable timing
- appropriate levels of participation
- adaptive processes
- transparent results.

A responsible authority, or a party acting on its behalf, should integrate these elements into the preparation and implementation of its public participation plan.

Chapter 5 provides detailed guidance on each of the key elements and how to incorporate them into public participation activities.



Although originally written for the Ministerial Guideline in the context of screenings, the elements of meaningful public participation can be applied to **all** public participation activities conducted under the Act, regardless of the type of assessment.

Other elements of meaningful public participation

The Ministerial Guideline also states, “*meaningful public participation reflects the principles of accessibility, impartiality, transparency, consistency, efficiency, accountability, fairness and timeliness, and recognizes that all parties have responsibilities in meeting these principles.*”

This is an acknowledgment that additional elements may be essential to ensure meaningful public participation. “Meaningful” will be defined differently by different parties and may vary on a case-by-case basis.

Effects of meaningful public participation

Planning and implementing meaningful public participation will help to:

- ✓ make better informed, better quality decisions;
 - ✓ obtain valuable information about the environment and potential impacts;
 - ✓ enhance understanding of the public’s interests, concerns and priorities;
 - ✓ create a positive foundation for working with interested parties to build trust, resolve problems, make informed decisions and reach common goals;
 - ✓ increase communication, transparency and accountability with the public;
 - ✓ avoid or minimize adverse environmental effects;
 - ✓ meet the Ministerial Guideline’s key elements for meaningful public participation;
 - ✓ meet the purpose of the Act to ensure opportunities for timely and meaningful public participation throughout the EA process;
 - ✓ address public concerns early in the process, thereby reducing likelihood for conflicts, costly delays, stoppages, litigation, etc.;
 - ✓ correct misinformation or rumours about proposed projects;
 - ✓ align the project design with public priorities and expectations before significant resources have been invested in detailed project planning; and
 - ✓ increase the credibility of EA decisions and decision makers.
-

Appendix 1A. Index of Public Participation Provisions in the Act

Introduction This appendix provides a summary of the sections of the *Canadian Environmental Assessment Act* that are most relevant to public notice, access to Registry records, consultation and participation activities.

The references are grouped by relevant topics (e.g., EA types), presented in alphabetical order.

Act	Topic	Act
	Government of Canada commitments	Preamble
	Interested party (definition)	2(1)
	Purposes of the Act	4(1)(d)

Agency	Topic	Act
	Agency objects	62 (g)(h)

Class screenings	Topic	Act
	Factors to be considered	16(1)(c)
	Publication of determinations following a screening	16(3)
	Public participation	18(3)
	Timing of public participation	18(4)
	Public notice and consideration of public comments	19(3)
	Declaration of a class screening report	19(4)
	Declaration to remove a class screening report	19(9)
	Decision of a responsible authority following a screening	20(1)(c)(ii)
	Prohibition of actions in furtherance of project	20(3)
	Time for decision	20(4)
	Referral to Minister	25(b)
	Internet site contents	55.5(2)(d)(e)
	Duty to contribute records - Agency	55.2(1)
	Duty to contribute records - responsible authorities	55.3(1)
	Class screening statement	55.3(2)

Comprehensive studies	Topic	Act
	Factors to be considered	16(1)(c)
Public consultation	21(1)	
Report and recommendation	21(2)	
Public participation	21.2	
Public notice	22(1)	
Public concerns	22(2)	
More information required	23(2)	
Time for Minister's EA decision statement	23(3)	
Prohibition: proceeding with project	37(3)	
Duty to contribute records - Agency	55.2(1)	
Duty to contribute records - responsible authorities	55.3(1)	

Federal environmental assessment coordinator	Topic	Act
	Role of the federal environmental assessment coordinator	12.1
Powers of the federal environmental assessment coordinator	12.3(c)	

Mediations	Topic	Act
	Factors to be considered	16(1)(c)
Referral by Minister	28(1)(b)	
Condition on reference to a mediator	29(2)	
Appointment of a mediator	30(1)	
Additional participants	31	
Public notice	36	
Prohibition: proceeding with project	37(3)	
Time for decision	37(4)	
Duty to contribute records - Agency	55.2(1)(2)	

Participant funding	Topic	Act
	Establishment of a participant funding program	58(1.1)

Public access to Registry records	Topic	Act
	Establishment of Registry	55(1)(2)(3)
Internet site establishment, maintenance and contents	55.1(1)(2)	
Form and manner of Internet site	55.1(3)	
Agency duty to contribute records	55.2(1)(2)	
Responsible authority duty to contribute records	55.3(1)(2)(3)	
Project file establishment, maintenance and contents	55.4(1)(2)	

Information that may be made publicly available	55.5(1)(2)(3)
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Review panels

Topic	Act
Factors to be considered	16(1)(c)
Referral by Minister	28(1)(b)
Assessment by a review panel	34
Hearings to be public	35(3)
Public notice	36
Prohibition: proceeding with project	37(3)
Time for decision	37(4)
Publication of agreement for joint panel	40(4)
Conditions	41(e)
Public hearing - conditions	44(b)
Duty to contribute records - Agency	55.2(1)(2)

Screenings

Topic	Act
Factors to be considered	16(1)(c)
Publication of determinations following a screening	16(3)
Public participation	18(3)
Timing of public participation	18(4)
Decision of a responsible authority following a screening	20(1)(c)(ii)
Prohibition of actions in furtherance of project	20(3)
Time for decision	20(4)
Referral to Minister	25(b)
Time for inclusion of report	55.3(3)
Duty to contribute records - Agency	55.2(1)
Duty to contribute records - responsible authorities	55.3(1)

Transboundary

Topic	Act
Interprovincial effects - agreement	46(2)(b)
Notice	46(4)
International effects - agreement	47(2)(b)
Notice	47(4)
Lands of federal interest - notice	48(5)
Public notice	53(2)

Chapter 2. Determining if Public Participation Is Appropriate in a Screening

Chapter Overview

Purpose of Chapter 2

This chapter has been prepared to help responsible authorities determine when public participation may be appropriate for a screening by applying the provisions of the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings*.

Contents

This chapter contains the following main parts.

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Intended audience

This chapter is intended for federal authorities who are responsible for a screening under the *Canadian Environmental Assessment Act* (the Act). Proponents, consultants and members of the public may also find this chapter useful for understanding the decisions of responsible authorities with regard to whether to provide opportunities for public participation in a screening.

Note: In this chapter the term “you” addresses any responsible authority under the Act or its regulations.

Application

This chapter is intended to explain the criteria for responsible authorities to consider when determining, on a case-by-case basis, whether public participation in a screening is appropriate. This information is for guidance, but is not intended to confine the discretion of a responsible authority under section 18(3) of the Act.

Part 1. Discretion for Public Participation in a Screening

Discretion for public participation in a screening

When a screening type of environmental assessment (EA) is required under the *Canadian Environmental Assessment Act*, you, as a responsible authority, must ensure that the screening of the project is carried out in compliance with the Act.

Subsection 18(3) of the Act sets out the requirements for public participation in screenings; however, the requirements of this subsection apply “[w]here the responsible authority is of the opinion that public participation in the screening of a project is appropriate in the circumstances”.

This allows you to determine whether public participation is appropriate based on the individual circumstances of each screening.

When do you make the determination?

There is no single point when you must determine whether public participation is appropriate in your screening. In terms of timing, the Act only requires that any opportunities for public participation occur before the EA decision.¹

As a minimum, your determination should be made at least 15 days prior to the EA decision to give the public adequate notice of the opportunity to participate and to accommodate the related Registry requirements that must be met when public participation is undertaken.²



Ideally, you should make the determination about public participation as early as possible in the planning phase of the screening. Early consideration will allow you to plan adequately for meaningful public participation and notify the public. It will also allow time for interested parties to become informed about the process, decide whether to participate and provide input into the planning phase of the screening, if appropriate.

How do you make the determination?

The *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act* (www.ceaa-acee.gc.ca/013/006/ministerial_guideline_e.htm) describes a set of criteria to guide you when determining whether public participation is appropriate. The criteria are intended to provide direction on a case-by-case basis. Part 2 of this chapter explains each criterion in detail.

¹ *Canadian Environmental Assessment Act*, subsection 18(3).

² *Ibid.*, subsection 20(4).

In addition, a number of good governance reasons provide opportunities for the public to participate in your EA process. Section 2.3 of this chapter provides a number of such factors to consider when making your determination.

Once you have reviewed the criteria and good governance factors, your determination and rationale should be documented in the screening report and included as a record in the Registry project file. Part 3 of this chapter provides guidance on how this information may be documented.

When is public participation appropriate?

Opportunities for meaningful public participation in a screening are particularly important when it is anticipated that members of the public will be affected by, or concerned with, the potential environmental effects of a proposed project. It is also appropriate when input from interested parties can provide knowledge or information that can improve the quality of the EA and help inform decision makers.

In many cases, public participation is simply good practice that can result in the protection of public interests and the environment.

When is public participation not appropriate?

By making public participation discretionary in screenings, the Act acknowledges that, in some circumstances, it may not be appropriate to involve the public in all screening processes. This may be the case if a review of the criteria shows that public interests are not likely to be affected by the proposed project and there is no opportunity for public knowledge or information to improve or influence the quality of the EA.

This decision should be based on a thorough review of the circumstances of each screening on a case-by-case basis.



Before you make a final determination about whether public participation is appropriate for your screening, consider the potential consequences of not involving the public in meaningful participation. Such consequences may include:

- delays and increased costs because of stakeholder interventions;
- lack of stakeholder support in the life cycle of the project;
- loss of credibility or legitimacy with the public;
- proponent difficulties in regulatory or other approval processes;
- combined pressure from stakeholders in other communities; and
- the potential for litigation related to the EA process.

Steps after your determination Once you have considered the criteria described in Part 2, take the following next steps.

If you determine that...	Then...
Public participation is not appropriate	Document your decision and rationale in the screening report and Registry project file. Revisit this determination throughout the screening as new information becomes available.
Public participation is appropriate	Fulfil the requirements and spirit of the Act, including any related Registry obligations. These responsibilities are outlined in Chapter 3.

Can you change your opinion? Yes. If you are initially of the opinion that public participation is not appropriate, you should revisit the criteria and re-examine your determination throughout the screening process in case your opinion changes as more information is provided, the need for more information arises or public interests shift.

For example, if you were originally of the opinion that public participation was not necessary, as the screening progresses, you may find that public interest in the project increases. Indications of public interest may be a signal that public participation has become appropriate in the circumstances.



Withdrawing from a decision to provide public participation is strongly discouraged. If you initially decide that public participation is appropriate, it is advised that you follow through with opportunities for public participation unless the screening is terminated (e.g., because the project proposal has been withdrawn).

If new information becomes available or the circumstances of the screening change, you may modify your public participation plan to better suit the new conditions.

Part 2. How to Determine if Public Participation Is Appropriate

Introduction

Section 5.2 of the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act* sets out seven criteria to consider when determining whether public participation is appropriate in the circumstances of a screening.

In addition, there are many good governance reasons for why you may choose to provide opportunities for the public to participate in your EA process.



The application section of the Ministerial Guideline states:
“Any body that has to conduct a screening pursuant to the Act should consider this guideline when making a determination as to whether or not public participation in a screening is appropriate in the circumstance.”

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This part contains the following main sections.

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2.1 Criteria to Determine if Public Participation Is Appropriate

Consider the criteria

To ensure that you are making an informed determination about whether to engage the public in your screening, you should consider each of the following criteria for each screening in which you are involved.

Criteria	See Page
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Gather relevant information

When reviewing the seven criteria from the Ministerial Guideline, you may decide you need more information before you can make your determination. For example, you may not know if there are any potentially interested parties in the project area. In these cases, you may need to review existing information or gather additional facts so you can make a well-informed decision about whether public participation is appropriate.

In the following sections of the chapter, suggestions are provided on gathering relevant information for each criterion.

Consider the criteria alone and cumulatively

The criteria are intended to help you focus on the issues that may be important in the circumstances of your screening. Any one or more of the criteria may apply in your circumstances and you will have to determine, on a case-by-case basis, whether those circumstances warrant public participation.

For instance, you will have to determine if one strong criterion on its own justifies public participation or whether a mixture of a few potential criteria warrants public participation. Use the criteria as a guide, considering them both individually and cumulatively when making your determination.

Weigh the information

You will have to consider the significance of each criterion. For example, with a criterion such as “indication of public interest,” there is no threshold for the number of people who must show interest in a project before the need for public participation is triggered.

If you are unsure about whether the presence of a “mild” indication of public interest warrants public participation, you will have to determine the significance of the public interest by considering factors, such as the extent and intensity of interest and the level of awareness about the proposed project.

In the following sections of the chapter, checklists with considerations are provided to help you weigh the information for each criterion.

Use good judgment

In many cases, your determination will not be easy. You will have to use good judgment for each screening you are involved with, because the application of any one criterion may not automatically lead to the conclusion that public participation is, or is not, required.

Your response will likely change depending on the circumstances of any one project. Therefore, each criterion should be considered carefully and your justification should be documented for future reference.

Overcoming reservations to involve the public

In some situations, you, your management or the proponent may be unconvinced of the need for public participation or its important role in decision making. For example, there may be reluctance, because the project will be open to public scrutiny, the proponent does not want project delays or you may not be able to address the public concerns through the EA process. There may also be reservations about considering public opinions that are not scientifically based.

In these cases, remember that it is important that the federal government knows, understands and considers public interests in federal decisions and that the benefits of meaningful public participation, should outweigh any potential reservations.



The Ministerial Guideline states that “*the public should have an opportunity to have a say in decisions that affect their lives*”.

Consider other criteria or factors

Aside from the seven criteria, if there is any other reason why public participation is, or is not, appropriate in the circumstances, you should consider that factor with the other criteria. Clearly document your consideration of any additional criteria or factors and any additional information that justifies your determination.

For a number of such factors to consider, see section 2.3 of this chapter.

Document your determination

Once you have considered all the criteria and you have made a determination about whether public participation is appropriate for your screening, you should document your determination and rationale for each criterion.

For guidance on documenting the determination, refer to Part 3 of this chapter.



Remember... if you have determined that public participation is not appropriate, you should document your decision and revisit the criteria throughout the screening process as new information becomes available.

Part 3 provides a worksheet that can be used to record your consideration of the public participation criteria.

2.1.1 Indication of Public Interest

Criterion to consider

There is an indication of an existing or likely public interest in
(i) the type of project,
(ii) the location of the project, or
(iii) the ways the project might affect the community.

Gather relevant information

Interested parties may indicate that they have views about the project and want to be given an opportunity to participate in the decisions that may affect them. Public participation in a screening can provide a means for these interested parties to have input into the EA before a federal decision is made at the EA conclusion.



To determine if there is an indication of existing or likely public interest in a proposed project:

- monitor correspondence to you, the proponent or other stakeholders (e.g., letters to your Minister);
- track whether information requests or other comments have been received as a result of notices on the Registry;
- watch for letters to the media, media releases and responses to them (e.g., newspaper or journal articles);
- network and talk to local community representatives, potentially interested parties and other stakeholders; and
- conduct or review surveys or public opinion polls to assess current interest in the project and EA process.

For a list of types of projects that have previously undergone a federal EA and have been of public interest, refer to Appendix A.

If there is indication of public interest

If there is an indication of an existing or likely public interest in the project, consider whether this is a sign that public participation may be appropriate.



To determine whether public participation may be appropriate:

- gauge the intensity of public interest (e.g., none, emerging, high);
- examine the nature of public interest for previous proposals in the area, as well as for similar types of projects elsewhere;
- find out whether the public may require more information about the proposed project or the issues;
- determine the nature of the opinions expressed by the public (e.g., generally negative, neutral, positive or unknown); and
- determine whether public participation can be meaningful and can improve the overall quality of your screening and EA decision.

For instance, if you have received an indication that your project has evoked strong public reaction throughout the region, you may decide that public participation is important to provide a means for interested parties to express their views and for you to obtain a clearer understanding of their issues.

If there is no indication of public interest

If there is no indication of an existing or likely public interest in the project, consider why this is. For instance, consider the reasons for lack of participation as described in section 3.2 of Chapter 4. (For example, are people aware that a project may affect them? Do people know how to indicate their interest?)

If there are reasons for lack of participation, consider whether there are opportunities to remedy these problems and benefit your EA process. For example, if people are simply unaware of the project, effective public notices may be useful for creating awareness about the proposal and encouraging expression of previously unspoken views.

If there is no indication of existing or likely public interest and you have considered the common reasons for lack of participation, public participation may simply not be necessary as a result of this criterion.



Even if you have not received any indication of public interest, you may decide to provide opportunity for public participation as a way to identify public views or create more awareness of the proposed project.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion, either alone or in combination with others, record your public participation determination and rationale as explained in Part 3 of this chapter.

2.1.2 History of Involvement

Criterion to consider

Those who may be interested have a history of being involved.

Gather relevant information

If those who may be interested in a project have previous involvement in related projects or projects of a similar type or location, it is reasonable to expect that they may want to be involved in your EA process, and that they may have valuable knowledge or experience to benefit the EA process.

To address their interests, promote open working relationships and gain from their experience, you may wish to provide opportunities for those with a history of being involved in screenings.



To determine if those who may be interested have a history of being involved:

- verify if there are any potentially interested parties (e.g., determine if there is an indication of public interest);
- identify past projects in the region and identify the interested parties who expressed concerns or were involved in the past processes;
- identify similar projects in other regions, the main interested parties and their views about the projects; and
- determine whether potentially interested parties have had previous contact with your organization, the proponent or other stakeholders.

Refer to Appendix A of this chapter for a list of the types of interested parties that are most commonly involved in federal EAs.

If there is a history of involvement



If those who may be interested have a history of being involved, consider whether this is a sign that public participation may be appropriate.

To determine whether public participation may be appropriate:

- research whether past interests expressed by the parties may also apply to the proposed project or your EA process;
- review whether past concerns were resolved or still need to be addressed;
- identify whether specific issues have a long history of public concern;
- determine if the interests can be addressed through the EA process;
- ascertain if interested parties expect to be involved in your EA; and

- determine whether public participation can be meaningful and can improve the overall quality of your screening and EA decision.

If interested parties have a history of being involved, knowing who they are and what their views have been in the past will give you a good idea of what interests they want to protect, how they might respond to your project and what they might contribute to your screening.

If you decide to involve the public, having this information will help you to plan for more effective and meaningful public participation.

If there is no history of involvement



If those who may be interested do not have a history of being involved, consider why this is. Do not assume that the public is unconcerned, apathetic, or unwilling to participate in your process if given the opportunity.

For instance, consider whether:

- there were no projects of similar type, location or effects on the community in the past;
- there were impediments or challenges to public participation in the past;
- there were no opportunities for public participation in the past; or
- there was simply no public interest in past projects.

A lack of previous involvement may be because there were no proposed projects that affected the community in the past, or it could be the result of any one of the reasons for lack of participation, as discussed in section 3.2 of Chapter 4. If interested parties were not previously able to express their views, they may be more interested in doing so now.

Depending on the situation, consider whether opportunities for meaningful public participation could benefit your EA process by bringing out public interests that have not previously been expressed by interested parties. A public participation plan may be useful for collecting these previously unsolicited views and may bring new insights to your EA process.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion either alone or in combination with others, record your public participation determination and rationale as explained in Part 3 of this chapter.

2.1.3 Potential for Value Conflict

Criterion to consider

The project has the potential to generate conflict between environmental and social or economic values of concern to the public.

Gather relevant information

Certain types of proposed projects may generate conflict between environmental, social and economic values. For example, a proposal for a sand and gravel extraction project may stimulate conflict between the values for a pristine environment and economic benefits, such as jobs.



To determine if the project has the potential to generate conflict between values of concern to the public:

- determine whether potentially interested parties have already expressed views that conflict;
- gauge whether conflicting views may relate to conflicting environmental, social and economic values;
- speak with representatives of community groups and interested parties to ascertain whether they foresee a conflict between social, economic, environmental or cultural values;
- review past projects of a similar type or location to determine whether there were value conflicts and if so, if and how they were addressed; and
- if no conflicting values have been identified, consider whether the proposed project is likely to involve a choice between conflicting values.

If there is potential for value conflict

If the project has the potential to generate conflict between values of concern to the public, consider whether this is a sign that public participation may be appropriate.



To determine whether public participation may be appropriate:

- consider the different opinions about your project and the various reasons why different groups in the same community may support or oppose it;
- consider whether you will be able to reconcile competing interests by bringing together diverse sets of knowledge and expertise;
- explore whether the potential value conflicts can be addressed in the EA or need to be addressed through other processes; and
- determine whether public participation can be meaningful and can improve the overall quality of your screening and EA decision.

If there is *no* potential for value conflict

If the project has no apparent potential to generate conflict between values of concern to the public, consider whether this is a sign that public participation may not be necessary as a result of this criterion.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion either alone or in combination with others, record your public participation determination and rationale as explained in Part 3 of this chapter.

2.1.4 Potential for Significant Adverse Environmental Effects

Criterion to consider

The project may be perceived as having the potential for significant adverse environmental effects (including cumulative environmental effects and effects of malfunctions and accidents).

Gather relevant information

Some projects that require a screening may be perceived as having the potential for significant adverse environmental effects. This will often depend on factors, such as the type, scale or location of the proposed project.



To determine if the project may be perceived as having the potential for significant adverse environmental effects:

- determine whether interested parties have expressed concern about the potential for significant adverse environmental effects;
 - check with local government officials and representatives of community groups for their assessment of public concern regarding the potential for significant adverse environmental effects and other issues of importance in the local environment;
 - review past projects of similar type and location, identify whether there was a perceived or actual potential for significant adverse environmental effects, and if so, consider whether these concerns may arise again with the current project; and
 - consider whether there are other indications (e.g., opinions from subject matter experts) that the proposed project may be perceived to have the potential for significant adverse environmental effects.
-

If there is a perceived potential for significant adverse environmental effects



If the project may be perceived as having the potential for significant adverse environmental effects, consider whether this is a sign that public participation may be appropriate.

To determine whether public participation may be appropriate:

- consider whether there is a need to gather additional public input about the perceptions regarding the potential for significant adverse environmental effects;
- identify differences in views about the significance or negligibility of potential environmental effects;
- assess whether the public may benefit from more information about the proposed project to avoid misperceptions, clarify perceptions or substantiate perceptions; and

- determine whether public participation can be meaningful and can improve the overall quality of your screening and EA decision.

If the public perceives a potential for significant adverse environmental effects, public participation may be a means to exchange information between yourself and the interested parties so you can better understand and address issues.

It will also help you to ensure that interested parties have up-to-date information about the project, are engaged throughout the process and can have input into aspects, such as the factors being considered and the potential mitigation.

If there is *no* perceived potential for significant adverse environmental effects

If there is no indication that the project is perceived to have the potential for significant adverse environmental effects, consider whether this is a sign that public participation may not be necessary as a result of this criterion.

For example, in the case of a simple routine project, such as a culvert replacement in a national park, where standard procedures and mitigation measures are well established, it is not likely that the project will be perceived to have the potential for significant adverse environmental effects. In such a case, public participation is not likely to be required as a result of this criterion alone.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion either alone or in combination with others, record your public participation determination and rationale as explained in Part 3 of this chapter.

2.1.5 Potential to Learn from Community or Aboriginal Traditional Knowledge

Criterion to consider

There is potential to learn from community knowledge or Aboriginal traditional knowledge and, thereby, improve the environmental assessment and the project.

Gather relevant information

Section 16.1 of the *Canadian Environmental Assessment Act* specifies that “community knowledge and Aboriginal traditional knowledge may be considered in conducting an environmental assessment.”

This is recognition that communities and Aboriginal peoples may have unique knowledge about the local environment and how it functions. Such knowledge may include wisdom about agriculture and horticulture, recreation and land uses, animals and fish, patterns in ecological systems, sustainable use of natural resources, human health and cultural traditions.



To determine if there is potential to learn from community knowledge or Aboriginal traditional knowledge:

- speak with local representatives to assess whether there is potential to learn from community knowledge or Aboriginal traditional knowledge;
- verify if members of communities or Aboriginal groups have suggested traditional knowledge that should be considered during the EA process;
- provide members of communities and Aboriginal groups with the opportunity to indicate if they wish to provide traditional knowledge to the EA; and
- determine if members of communities or Aboriginal groups have provided traditional knowledge in the past.

If there is potential to learn from traditional knowledge



If there is potential to learn from community knowledge or Aboriginal traditional knowledge, consider whether this is a sign that public participation may be appropriate.

To determine whether public participation may be appropriate:

- find out who holds relevant traditional knowledge, with whom and how knowledge might be shared, and who has authority to pass on the knowledge;
- determine whether you can obtain relevant information through the direct participation of members of a community or Aboriginal group;

- determine the kinds of knowledge that may be sought and how any knowledge may be incorporated into the EA process;
- research whether relevant traditional knowledge studies have been previously conducted, if they are up-to-date and if they are available for use;
- ask whether community protocols or expectations to protect the knowledge would prevent the use of traditional knowledge;
- consider whether the knowledge collection would assist in the context of long-term relationship building; and
- determine whether public participation can be meaningful and can improve the overall quality of your screening and EA decision.

If relevant knowledge is not already available, seeking such information directly through the participation of the knowledge holders may help you obtain important information that otherwise might be missed.

For instance, traditional ecological knowledge often consists of observations about the environment attained over decades or centuries. If gathered and recorded, this knowledge can provide EA practitioners with greater understanding of the environment in which a project is proposed, the potential effects of that project and the significance of those effects.

***Other means to
gather
traditional
knowledge***

Traditional knowledge may also be obtained through means other than a public participation process. For example, many Aboriginal groups have collected information from their elders, land users and other knowledge holders and have documented the information in traditional knowledge studies, transcripts, maps, plans, surveys and research papers.

If previous traditional knowledge studies have been conducted and are available for your use, you will want to verify that they are up-to-date and your interpretation and application of the information is in keeping with the intended meaning of the knowledge holders.



Use of previously recorded information or expert knowledge may be useful to your screening, but is not considered “public participation” under the Act. If using such information, you should reference the sources and provide an explanation about how the traditional knowledge was obtained.

Regardless of how traditional knowledge is obtained, the principles for meaningful public participation should be applied to its collection and use. For instance, prior informed consent should be obtained and community members should have adequate opportunity to review how you have used their knowledge before your EA decision is made.

If there is no potential to learn from traditional knowledge

If there is no potential to learn from community knowledge or Aboriginal traditional knowledge, consider whether this is a sign that public participation may not be necessary as a result of this criterion.

This may be the case if no traditional knowledge holders have been identified or if members of the communities do not wish to share their traditional knowledge. The latter may be the case if, for example, there is fear that sensitive information may be improperly released or misused.



If members of Aboriginal organizations or other communities do not want to share their traditional knowledge, you cannot impose this requirement on them. If communities have chosen not to provide traditional knowledge, you should document this and any rationale that you have received.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion either alone or in combination with others, record your public participation determination and rationale as explained in Part 3 of this chapter.

Related guidance

There are a number of principles to consider regarding the use of traditional knowledge (e.g., respecting intellectual property rights). Refer to the Agency document *Considering Aboriginal Traditional Knowledge in Environmental Assessments under the Canadian Environmental Assessment Act – Interim Principles* (<http://www.ceaa-acee.gc.ca/012/atke.htm>) (if you think the provision of Aboriginal traditional knowledge is both desirable and appropriate).

2.1.6 Uncertainty about Environmental Effects

Criterion to consider

There is uncertainty about potential direct and indirect environmental effects or the significance of identified effects.

Gather relevant information

It is unlikely that any one person or organization has all the information needed to identify all environmental effects or to determine with certainty the significance of those effects. Making a determination about environmental effects with certainty will require diverse knowledge.



To determine if there is uncertainty about potential environmental effects or the significance of those effects:

- identify if there may be a lack of information regarding the potential for environmental effects or the significance of those effects;
- determine whether the proposed project may involve technology or mitigation measures that are new or unproven;
- determine whether the environmental effects may be assessed using new or unproven techniques;
- verify if there are indications that the public or other stakeholders have concerns about unknown or potential environmental effects; and
- research whether there has been uncertainty about the potential environmental effects of past projects of a similar type or location.

If there is uncertainty about environmental effects

If there is uncertainty about potential environmental effects or the significance of identified effects, consider whether this is a sign that public participation may be appropriate.



To determine whether public participation may be appropriate:

- consider whether the public should be better informed of the uncertainty;
- consider whether there is a potential for the public to fill information gaps or clarify the uncertainties;
- consider whether the uncertainties of interested parties may be alleviated through the provision of information that addresses their concerns or fills information gaps that they identify;
- identify whether interested parties have expressed a desire to identify uncertainties about potential environmental effects, the significance of those effects, potential alternatives or means to mitigate effects; and
- determine whether public participation can be meaningful and can

improve the overall quality of your screening and EA decision.

For projects where there is uncertainty about potential environmental effects or the significance of identified effects, you may wish to talk to interested parties to gain a better understanding of their concerns, identify information gaps and possibly obtain information that is missing from the analysis.

For example



The Canadian Nuclear Safety Commission (CNSC) is a responsible authority under the Act and is required to ensure the conduct of a screening for the refurbishment of a nuclear facility to extend its operational life span.

Due to the nature of the nuclear facility, concerned residents and environmental groups are voicing concerns about the proposed prolonged operation and the uncertainty around the related long-term environmental effects of nuclear waste. They indicate that they want to be engaged throughout the EA and want to know how protection of public and environmental health will be guaranteed.

Because of the public uncertainties about the environmental effects, the CNSC decides to provide opportunities for interested parties to participate in the screening process. In doing so, the Commission hopes to exchange information with the public, understand and address the public concerns, develop communication and trust, enhance the EA and minimize the potential for environmental effects.

If there is *no* uncertainty about environmental effects

If there is no indication of uncertainty about potential environmental effects or the significance of identified effects, it is likely that public participation may not be necessary as a result of this criterion.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion either alone or in combination with others, record your public participation determination and rationale as explained in section 2.3 of this chapter.

2.1.7 Use of Equivalent Public Participation Processes

Criterion to consider

The project has been or will be subject to other public participation processes of appropriate scope and coverage that would meet the objectives of the Ministerial Guideline.

Gather relevant information

A proposed project that is subject to the *Canadian Environmental Assessment Act* may also be subject to the processes of another jurisdiction or regulatory body that has public participation requirements. For instance, some regulatory processes include the requirement for proponents to undertake public participation programs.

For example, the National Energy Board (NEB) requires that proponents meet certain requirements for public consultation when applying for a certificate, an order or a permit filed pursuant to the *National Energy Board Act*. This is a requirement regardless of whether the *Canadian Environmental Assessment Act* applies.



To determine if a proposed project has been or will be subject to other public participation processes of appropriate scope and coverage that would meet the objectives of the Ministerial Guideline:

- verify whether any proponent, regulator or other jurisdiction is involved in the project and has a requirement for public participation; *and*
- if the proposed project *has been subject* to other public participation processes, determine if it is adequate to meet the objectives of the Ministerial Guideline; *or*
- if the proposed project *will be subject* to other public participation processes, determine whether the process can be harmonized with the requirements of the Act.

If the project has been subject to an equivalent public participation process

If the project has been subject to an equivalent public participation process, you may:

- choose to use the information; and
- determine whether additional public participation may be appropriate.



To determine whether additional public participation may be appropriate:

- determine whether interested parties expect to have an opportunity to be involved in the federal EA process;
- verify the timing of the past process to determine how old the

information is and whether it needs to be updated;

- determine whether additional participation will duplicate previous activities or will result in public overload;
- verify if information from the previous process sufficiently addresses issues about environmental effects;
- decide if new or additional information is required and, if so, whether it can be attained through additional public participation; and
- determine whether additional public participation can be meaningful and can improve the overall quality of your screening and EA decision.

Using information from another process

If the project has been subject to an equivalent public participation process, you may choose to use information from the other process during your screening. Remember, however, that use of previously recorded information or traditional knowledge is not considered public participation under the Act.

When using information from another process, you should reference the information source and provide a rationale regarding why information from a previous process is being used. This approach can avoid duplication and potential public participation fatigue, but should be transparent in your EA report.



You will need to consider the type of process under which any equivalent participation might take place; many of these processes are regulatory and their scope of consideration may be much different than that required for an effective EA process. Under a narrowly scoped process, the public simply may not be able to raise the same issues as they would in a meaningful public participation process implemented for a federal EA.

If the project will be subject to an equivalent public participation process



If the project will be subject to another public participation process, consider whether this is a sign that public participation may also be appropriate for your screening.

To determine whether public participation may be appropriate:

- determine whether the public expects to have an opportunity to be involved in the federal EA process;
- verify whether you can harmonize the public participation processes or if there is a need for two separate public participation processes (e.g., due to time lines or differing objectives);
- ascertain whether the other proposed process can be of the appropriate scope and coverage to meet the objectives of the Ministerial Guideline;

- identify whether the proposed process can meet the requirements of the Act (e.g., adequate public notice, posting of required records on the Registry Internet site, and public opportunity to review and comment on the screening report); and
- determine whether additional public participation can be meaningful and can improve the overall quality of your screening.

Can you harmonize the public participation plans?

Yes. If you can meet the requirements and spirit of the Act, as well as the objectives of the Ministerial Guideline, you are encouraged to harmonize your plan with that of another jurisdiction. Public participation activities that are complementary, rather than duplicative, can result in better use of resources, ensure consistency between regulators and reduce the prospect of public overload.

If you are considering harmonizing public participation plans, do not forget your overall objectives for public participation in the EA or the expectations of any interested parties.



Early identification and coordination of joint public participation activities is important to meet the requirements of all processes concurrently. For example, a harmonized public participation plan should have a clear work plan with specified roles and responsibilities, objectives, milestones and activities.

For information on planning your activities, refer to Chapter 4.

If there is no equivalent public participation process

If the project has not been, or will not be, subject to another public participation process, or it is clear that the other public participation process does not meet the objectives of the Ministerial Guideline and the spirit of the Act, you should consider whether public participation is appropriate as a result of the other criteria.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of this criterion either alone or in combination with others, record your public participation determination and rationale as explained in Part 3 of this chapter.

2.2 Links to Aboriginal Consultation

Consider Aboriginal engagement

When determining whether public participation is appropriate for your screening, you should specifically consider whether the participation of Aboriginal peoples is appropriate in the circumstances.

Engaging Aboriginal peoples in your screening can help you obtain knowledge about how they use the land and resources and how the project may affect their traditional uses. For example, you may learn that a potential environmental effect, such as a decline in a wildlife population, could affect traditional hunting or trapping activities.



Engaging Aboriginal peoples in an EA may be particularly appropriate to meet certain provisions of the Act. For example, the Act:

- requires that all EAs consider the effects of any environmental change arising from a project on the current use of lands and resources for traditional purposes by Aboriginal peoples;³ and
- allows for the use of community knowledge and Aboriginal traditional knowledge in conducting EAs.⁴

Other requirements to consult Aboriginal peoples

In addition to public participation under the Act, governments may have other legal obligations to consult with Aboriginal peoples in certain circumstances.

For instance, the Supreme Court of Canada has ruled that the Crown has a legal duty to consult, and where appropriate to accommodate, when the Crown has real or constructive knowledge of the potential existence of Aboriginal rights or title, and the Crown contemplates conduct that might adversely affect those rights — whether those rights have been established (proven in court or agreed to in treaties) or whether there is the potential for rights to exist.

As well, there may be agreements that the Crown has entered into which require the Crown to engage in consultations with Aboriginal groups when a project is contemplated in specific circumstances. Examples include comprehensive land claim agreements, interim benefit agreements and self-government agreements.

Statutes or regulations may also specifically require the Crown to consult with Aboriginal groups or Aboriginal governments in certain circumstances.

³ *Canadian Environmental Assessment Act*, subsection 2(1), “environmental effect.”

⁴ *Ibid.*, section 16.1.

These legal obligations to consult Aboriginal peoples should be identified separately from the requirements for public participation under the *Canadian Environmental Assessment Act*; however, there may be overlap in how the obligations are carried out.

Consider linkages

You may determine that public participation for the screening and Aboriginal consultation to fulfil the Crown’s common-law duty are both appropriate in the circumstances.

As stated in section 5.2 of the Ministerial Guideline, if a duty to consult with Aboriginal peoples is identified, you may want to consider whether there are any linkages that could be drawn between the public participation process undertaken for the EA and the Aboriginal consultation required under common law.



To determine whether engaging Aboriginal peoples as part of the public participation process may be appropriate:

- verify whether members of Aboriginal communities expect or want to be engaged in the public participation opportunities for the EA;
- consider whether Aboriginal engagement in the public participation process will encourage an exchange of views and knowledge between members of Aboriginal or non-Aboriginal communities;
- if there is a common-law duty to consult, consider the linkages that could be drawn between the Aboriginal consultation process and any public participation process undertaken under the Act; and
- determine whether engaging Aboriginal peoples as part of the public participation can be meaningful and can improve the overall quality of your screening.

Document your determination and rationale

If you determine that public participation is, or is not, appropriate as a result of your consideration of the need for Aboriginal engagement, record your public participation determination and rationale as explained in Part 3 of this chapter.

Additional information

Since the common-law duty to consult Aboriginal peoples is independent of the requirements of the Act, this guide does not address it in detail.

If you have specific questions about Aboriginal consultation or need further information regarding the Crown’s common-law duties, please contact your organization’s legal counsel for advice.

2.3 Good Governance Factors to Consider

Why give opportunities for public participation?

Well planned and executed public participation plans have the potential to generate short- and long-term benefits and improve project outcomes. A commitment to providing open and transparent public participation, with a clear connection to the EA process and decision, is important for realizing environmental benefits and minimizing costs.

Public participation plays a critical role in raising awareness of a project's potential impacts, gaining agreement on approaches to maximize benefits and inviting innovation to reduce negative consequences. Overall, public participation can result in a better EA, a well-informed decision and a better project. For most projects, it makes good business and environmental sense over both the short and long term.

An overview of good governance factors to consider

Experience has demonstrated that public participation does make a difference in project planning and that there is a trend for increased participation in all sectors of society. The public will often not accept being left out of a decision-making process that affects them or to be only superficially involved at the end of the process.

In addition to the criteria outlined in sections 2.1 and 2.2, there are many good governance reasons for why you may choose to involve the public in your EA process.

For example, you may consider the following additional factors:

- improve quality and quantity of information
 - increase informed decision making
 - improve project design
 - minimize or avoid environmental effects
 - minimize long-term costs and delays
 - increase project support
 - avoid or minimize conflict
 - build relationships
 - build capacity.
-

Improve quality and quantity of information

Public participation can improve the quality and quantity of information available for use in the EA analysis by increasing the knowledge base from which information is drawn and by including a range of perspectives on problems and solutions. For example, the public can be an important source of local knowledge for baseline data about a proposed project location as well as likely environmental effects. The transfer and exchange of knowledge and ideas can also result in creative solutions to issues of concern.



If you provide public participation opportunities that are meaningful, the quality of input will likely be meaningful too.

Increase informed decision making

Public participation can be critical to identifying the knowledge, views and concerns of interested parties. Decision makers can better understand the factors, issues or choices that are important to interested parties and use that information to make educated decisions during the EA process. The result of a meaningful public participation plan will ultimately be better-informed decisions during and at the end of the EA.

Improve project design

Public participation may help to identify the crucial issues and constraints on a project early in the process. It also can foster a shared understanding of the project's potential impacts early enough so alternatives, mitigation measures or other positive actions can be considered in the project planning stage.

Minimize or avoid environmental effects

Meaningful public participation can help to ensure that the likely environmental effects of a project are identified and avoided or mitigated at an early stage. Public input can help to minimize adverse effects on the environment, socio-economic conditions, human health and valued cultural features.

Minimize long-term costs and delays

Meaningful public participation in an EA may reduce the likelihood of court action or project delays. It will, however, require time and resources to ensure that the interested parties are able to participate effectively. This investment is likely to be economical over the longer term, particularly when it leads to well-informed decisions.

Alternatively, failure to involve the public in contentious, high-profile EAs can prevent a project from moving forward in a timely way.

Increase project support

An EA process that involves interested parties in a meaningful way and results in a higher quality EA, better decisions and a better project proposal is more likely to protect public interests. The result is usually a higher level of support and commitment to the decision by those who have been engaged, during project implementation, throughout the life cycle of the project, and for possible future projects.

Avoid or minimize conflict

Early and meaningful public participation can reduce the possibility of adversarial situations by identifying potential issues early in the project planning, allowing for modifications to the proposal, or otherwise addressing concerns before they elevate. The result can be fewer delays and costs associated with conflicts. Even when adversarial situations do arise, an open and participatory process with good dialogue has a greater chance for resolution.

Build relationships

The way to achieve and maintain legitimacy, particularly when controversial decisions must be made, is to follow a decision-making process that is transparent and respectfully involves interested parties. A public participation plan that leaves the public more informed of the objectives and operation of your organization can often help with future relationships. As you earn a good track record in involving the public, your credibility will be enhanced, trust will be fostered and people will feel that they were given a fair chance to express their views and be involved in the EA process.

Build capacity

Each time you involve the public in an EA process you can build their capacity to participate in a meaningful way. For example, by helping them develop an understanding of the EA process, providing access to tools and resources, developing a network of contacts for information exchange, and building confidence in the process, you increase the skills and knowledge base regarding good EA practices of the communities involved.

Likewise, undertaking and evaluating engagement processes can help you to learn the value of public input, gather experiences about what works and what does not, and improve your own planning and engagement skills.

Part 3. How to Document Your Determination

3.1 Evaluate the Criteria

**Evaluation
worksheet**

The following worksheet can be used to help you evaluate whether public participation is appropriate in the circumstances of your screening.

While this worksheet should not be considered scientific, results of the worksheet can give a general sense of the level of influence of the criteria for public participation.

Note that the worksheet may be adjusted to reflect your circumstances. For example, you may have additional questions or considerations that are important to your project and that should be added to the worksheet.

**Evaluating
scores**

If any check marks are registered at the very high level, careful evaluation should be given to engaging the public in the project.

Remember that the criteria are intended to help you focus on the issues that may be important in the circumstances of your screening. Any one or more of the criteria may apply in your circumstances and you will have to determine, on a case-by-case basis, whether those circumstances warrant public participation.

For instance, you will have to determine if one strong criterion on its own justifies public participation or whether a mixture of a few potential criteria warrants public participation. You should use the criteria as a guide, considering them both individually and cumulatively when making your determination.

Criteria for Public Participation – Evaluation Worksheet

Assessment Questions (Criteria)	None	Very Low	Low	Moderate	High	Very High
1. What is the indication of an existing or likely public interest in a) the type of project b) the location of the project or c) the ways the project might affect the community?						
2. What is the history of involvement on related projects of a similar type of location?						
3. What is the potential for the project to generate conflict between environmental and social or economic values of concern to the public?						
4. What is the potential or perceived potential for significant adverse environmental effects (including cumulative environmental effects and effects of malfunctions and accidents)?						
5. What is the potential to learn from community knowledge or Aboriginal traditional knowledge and improve the environmental assessment and the project?						
6. What level of uncertainty is there about potential direct and indirect environmental effects or the significance of identified effects?						
7. What are the possibilities that the project has been or will be subject to other public participation processes of appropriate scope and coverage that would meet the objectives of the Ministerial Guideline?						
8. Is there any other reason why public participation is appropriate? If yes, please state: _____						
Count # of check marks in each column						

3.2 Record the Public Participation Determination

Document your determination and rationale

Once you have considered all the criteria and good governance factors, and you have determined whether public participation is appropriate for your screening, you should document your determination and rationale for each criterion.

Your determination and the basis on which it was made should be included in your screening report in accordance with section 7.1.3 of the Ministerial Guideline. Your record of determination should also be included in the Registry project file.

Use the record of determination

A record of determination should be completed to document:

- your consideration of the criteria;
- your resulting determination of whether to provide opportunities for public participation; and
- the rationale for your determination.

Once you are familiar with the criteria and how they may be considered, it should become routine to record the consideration of the criteria in a record of determination.

A blank record of determination template is provided on the following pages. An example is given in section 3.2.1.

Document your information sources

You should also document the means used to determine whether any criteria apply in your circumstances.

For example, document your research and any correspondence you had with interested parties, representatives of the local communities and subject matter experts.

Template – Record of Public Participation Determination

Stage of work plan: _____

Is there an indication that...	Describe potential indication and issues
1. <i>there is an existing or likely public interest in the type, location or effects of the project?</i>	
2. <i>those who may be interested have a history of being involved?</i>	
3. <i>the project has the potential to generate conflict between environmental and social or economic values of concern to the public?</i>	
4. <i>the project may be perceived as having the potential for significant adverse environmental effects?</i>	
5. <i>there is potential to learn from community knowledge or Aboriginal traditional knowledge?</i>	
6. <i>there is uncertainty about potential direct and indirect environmental effects or the significance of identified effects?</i>	
7. <i>the project has been or will be subject to other public participation processes that would meet the objectives of the Ministerial Guideline?</i>	
8. <i>there is any other reason why public participation is or is not appropriate?</i>	

Continued on next page

Template – Record of Public Participation Determination, continued

As a result of the scan above, is public participation appropriate in the circumstances?

Yes No

Additional comments to support determination:

Name: _____

Date: _____

Title: _____

Organization: _____

Name: _____

Date: _____

Title: _____

Organization: _____

3.2.1 Example - Public Participation Determination Record

**Sample case
and record of
determination**

A proponent proposes to modify the operating regime of a hydro dam to provide additional power to a growing population. The project will affect water levels and possibly impact valued wildlife habitat. People in the vicinity of the project have voiced concerns about the potential for local tourism to be affected, because of sport fishing.

Fisheries and Oceans Canada (DFO) is a responsible authority under the *Canadian Environmental Assessment Act* and must ensure that a screening is completed before an authorization is considered to be given under the *Fisheries Act* for impacts to fish and fish habitat.

DFO is in the planning phase of the screening and must determine whether public participation in the screening is appropriate in the circumstances of the proposed project.

At this point, the Department has not had any contact with potentially interested public parties, but they have met with the proponent and the municipality to discuss the proposed project and its potential impacts.

DFO staff members know they must consider the criteria outlined in the Ministerial Guideline. They want their determination to be transparent and backed up with rationale, so they use the record of determination to document their considerations.

An example of what their record of determination might look like is provided on the next page.

Example - Record of Public Participation Determination

Stage of work plan: Phase 1: Planning the EA

Is there an indication that...	Describe potential indication and issues
1. <i>there is an existing or likely public interest in the type, location or effects of the project?</i>	Municipality has received input that local sport fishers are concerned about effects, such as potential water level changes, on recreational fishing.
2. <i>those who may be interested have a history of being involved?</i>	Research (e.g., Web and contact with municipality) indicates that recreational groups have been concerned about past projects affecting waterways in the area and have previously expressed concerns about cumulative effects.
3. <i>the project has the potential to generate conflict between environmental and social or economic values of concern to the public?</i>	During past work at the dam, residents indicated concern about effects of changing waters levels (e.g., on environment and recreation), but there is no indication that the public is opposed to the dam or that socio-economic effects are likely; therefore, “conflict” is not expected.
4. <i>the project may be perceived as having the potential for significant adverse environmental effects?</i>	Based on past projects and current input, it is apparent that some members of the public believe the project may cause <i>adverse</i> environmental effects. More research is required to determine how significant the public may perceive these effects to be.
5. <i>there is potential to learn from community knowledge or Aboriginal traditional knowledge?</i>	There is no indication of relevant traditional knowledge at this time, but suspect there is potential to learn about ecosystem and current uses of the waterway from the community.
6. <i>there is uncertainty about potential direct and indirect environmental effects or the significance of identified effects?</i>	Based on experiences with similar projects, the impacts on fish and fish habitat, as well as likely mitigation to be required are well understood, so uncertainty is unlikely.
7. <i>the project has been or will be subject to other public participation processes that would meet the objectives of the Ministerial Guideline?</i>	No other public participation processes have been identified.
8. <i>there is any other reason why public participation is or is not appropriate?</i>	Public participation is expected by local community, because it has been undertaken for past projects affecting the waterway.

Continued on next page

Example - Record of Public Participation Determination, continued

As a result of the scan above, is public participation appropriate in the circumstances?

Yes No

Additional comments to support determination:

Interested parties have expressed concerns for past water projects in the area, therefore early engagement of potentially interested parties should be undertaken to explain the proposed project and alleviate concerns where possible. Consultation during the scoping phase is recommended to gather additional information regarding the local ecosystem and recreational uses. Throughout the screening process, public participation techniques should be planned and implemented to involve the parties in the identification of potential issues, weighting of significance and means to mitigate adverse environmental effects.

The municipality is supportive of public participation and will assist in its facilitation.

Name: Jane Doe

Date: December 6, 2009

Title: Environmental Assessment Officer

Organization: Fisheries and Oceans

Name: John Hancock

Date: December 6, 2009

Title: Sr. Environmental Assessment Officer

Organization: Fisheries and Oceans

Appendix 2A. Examples of Past Interested Parties and Projects of Public Interest

Projects of public interest

The *Background Study on Public Participation in Screenings and Comprehensive Studies*, prepared for the Agency in March 1999, sought to examine key practices, issues and concerns related to public participation in screenings and comprehensive studies conducted under the Act.

For the study, responsible authorities identified examples of projects that were typically of public interest. Although this list is not exhaustive, it may be helpful for identifying the types of projects for which you may anticipate an indication of public interest.



The projects identified in the *Background Study on Public Participation in Screenings and Comprehensive Studies* included:

- wastewater treatment plants
 - hydro development
 - water supply and storage projects
 - road/highway construction
 - linear projects such as transmission lines and pipelines
 - construction of a highly visible building, such as a visitors' centre
 - health research facilities
 - projects involving nuclear energy
 - projects involving noise
 - clean-up of toxic materials
 - projects in areas already experiencing cumulative effects from other projects/activities
 - projects involving Aboriginal people/resources and land claims.
-

Who may have a history of involvement?

The *Background Study on Public Participation in Screening and Comprehensive Studies* also reported on the types of interested parties that were most commonly involved in environmental assessments. Although not exhaustive, this information may be helpful for identifying interested parties with a history of being involved in federal EAs.

According to responsible authorities, the majority of participants involved in screenings and comprehensive studies lived in the immediate project area and were likely to be directly affected by the project. Furthermore, three types of groups from outside the project area were also typically involved. Together these groups included:

Immediate project area	Outside the project area
<ul style="list-style-type: none"> • interested individuals and community groups • local environmental groups • local Aboriginal groups 	<ul style="list-style-type: none"> • non-local environmental groups* • academic researchers • legal groups

* It was observed that non-local environmental groups were often more involved than local environmental groups.

Chapter 3. Public Participation Responsibilities in a Screening

Chapter Overview

Purpose of Chapter 3

This chapter has been prepared to help responsible authorities understand the provisions of the *Canadian Environmental Assessment Act* (the Act) that pertain to public participation in a screening. It explains the considerations and responsibilities for public participation during each main phase of a screening.

Contents

This chapter is divided into the following main parts.

Topic	See Page
Phase 1. Plan the Screening	3-3
Phase 2. Conduct Analysis and Prepare Screening Report	3-8
Phase 3. Review Screening Report	3-10
Phase 4. Make EA Decision	3-13
Phase 5. Implement Mitigation and Follow-up Program	3-15
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Appendix 3B. Responsible Authority Checklist	3-20
Appendix 3C. Responsibilities Checklist - Other Parties	3-22



For a brief explanation of each phase, please refer to the *Overview to the Act* guide, available at www.ceaa.gc.ca.

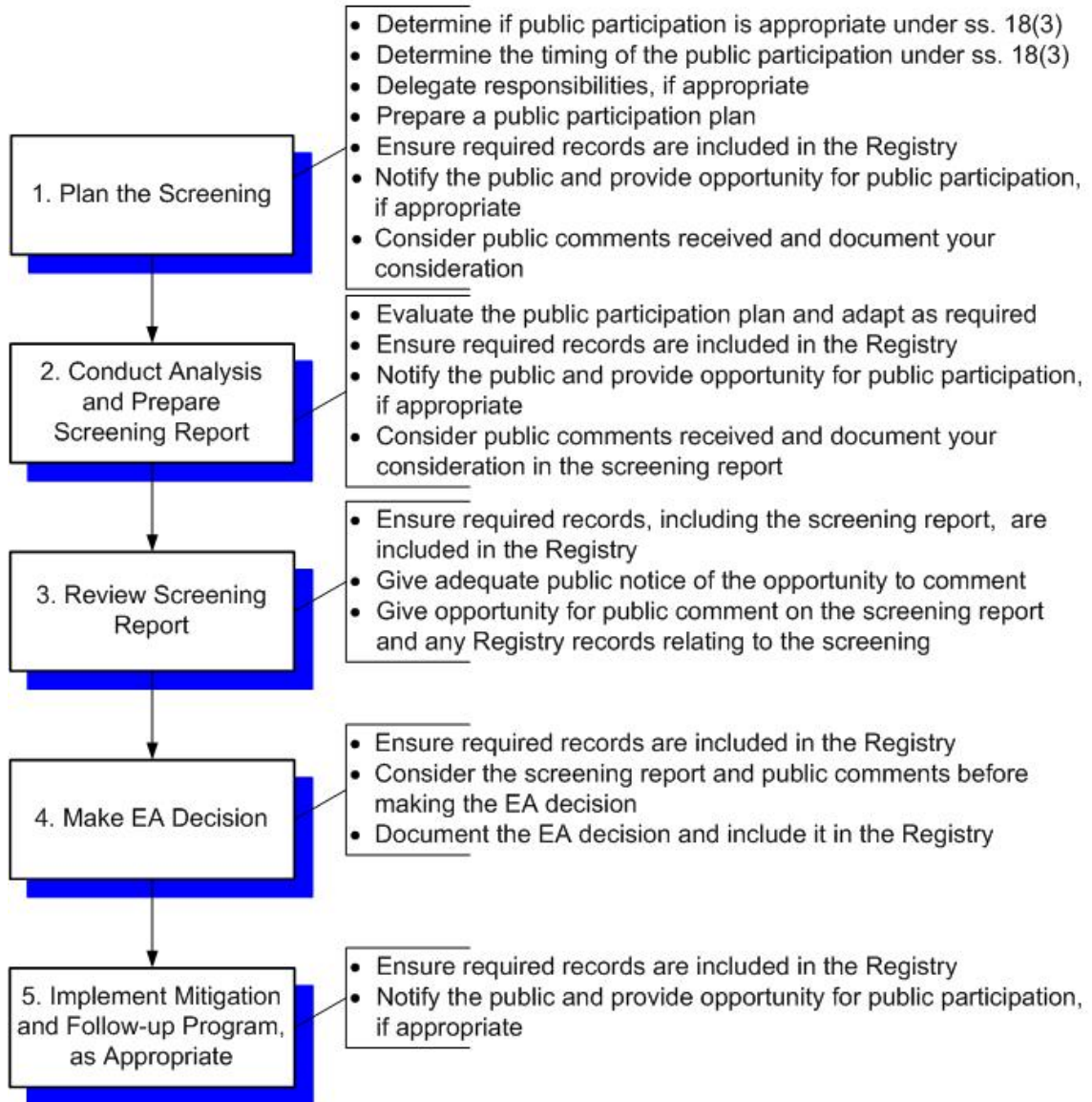
Intended audience

This chapter is intended for federal authorities responsible for a screening under the Act. Proponents, consultants and members of the public may also find this guidance useful for understanding the obligations of responsible authorities in this context.

Note: In this chapter the term “you” addresses any responsible authority under the Act or its regulations.

Focus The intent of this chapter is to help you understand the fundamental public participation requirements during a screening. It is not intended to provide details regarding how to put these requirements into practice, as such recommendations for practitioners are provided in detail in chapters 4 to 6.

Public participation in each phase The figure below shows the phases of a typical screening process and indicates the most likely public participation responsibilities in each phase. Although shown as a linear process, the phases and tasks may be iterative and are not always sequential.



Note: For a list of the Registry records required, refer to Appendix 3A.

Phase 1. Plan the Screening

Determine if public participation is appropriate



Since public participation is discretionary for screenings, you should determine whether public participation in the screening is appropriate in the circumstances.

Chapter 2 provides detailed guidance on the criteria to use to make this determination, as well as tools to use to document your decision and rationale.

When do you make the determination?

There is no single point when you must determine whether public participation is appropriate in your screening; however, the Act does specify that public participation opportunities should be given prior to the EA decision regarding your course of action (e.g., whether you may exercise any power or perform any duty or function that would permit the project to be carried out).¹

As a minimum, your determination should be made at least 15 days prior to the EA decision to give the public adequate notice of the opportunity to participate and to accommodate the related Registry requirements that must be met when public participation is undertaken.² These Registry requirements are outlined in Appendix 3A.

To plan adequately for meaningful public participation, it is recommended that you consider the need for public participation as early as possible at the commencement of the screening process.

Determine the timing of public participation

According to paragraph 18(3)(c) of the Act, you may provide the public with an opportunity to participate at any stage of the screening. For example, you may choose to provide opportunities early on, during the scoping or assessment activities (i.e., Phase 1 or Phase 2). Otherwise, you may simply consult the public on the screening report and Registry records (i.e., Phase 3), as per paragraphs 18(3)(a) and (b).

Early in the EA planning process you should consider when public participation activities would be most appropriate. When considering the timing of the public participation, you should account for the specific needs and circumstances of the project, as well as the needs and preferences expressed by interested parties. This information may help you determine when opportunities for public participation are most appropriate.

¹ *Canadian Environmental Assessment Act*, subsection 18(3).

² *Ibid.*, subsection 20(4).

Should you involve the public in Phase 1?

Providing opportunities for active participation during early planning of the screening allows for greater probability that the key elements of meaningful public participation will be effectively incorporated into the screening process. It also allows for early collection and consideration of community and traditional knowledge that may be essential to the screening analysis.

Most commonly, public participation in Phase 1 is undertaken to scope the project and assessment. Public input in this phase may help to:

- identify issues of local concern or regional environmental sensitivities that may need to be addressed;
- gather local information about the project area;
- identify other potential sources of information;
- identify other developments or proposed activities in the area; and
- determine alternative ways of carrying out the project while still achieving the project objectives.



Remember... early notification is a key element of meaningful public participation. The earlier that meaningful communication with interested parties occurs, the more likely you will be able to assess effectively the environmental effects of the project and recommend measures that are publicly acceptable and environmentally sustainable.

Who makes the decision about timing?

Once you have determined that public participation is appropriate, the federal environmental assessment coordinator (the FEAC, which may also be an RA) may, in discussion with the federal authorities, determine the timing of the public participation. This power is given to the FEAC to assist it in its role to facilitate communication and cooperation among federal authorities, and with provinces, jurisdictions and other interested parties.³

The discussion with other parties is particularly important as they may have other public participation requirements (e.g., as a result of another regulatory process). You may agree to coordinate your public participation activities to avoid duplication and public overload.

If the Canadian Environmental Assessment Agency or another responsible authority is the FEAC, you maintain discretion to determine whether public participation is appropriate for the screening, but your discretion will be subject to the FEAC's decision regarding the timing of the public participation.⁴

³ Ibid., paragraph 12.3(c).

⁴ Ibid., subsection 18(4).

Delegate responsibilities, if appropriate

Under subsection 17(1) of the Act, you may delegate any part of the screening or the preparation of the screening report to any person, body or jurisdiction. This delegation may include the planning, implementation and evaluation of your public participation activities. This option allows you to delegate the responsibility to someone who has relevant experience planning and implementing public participation programs, such as the proponent or a consultant.

The *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings* (http://www.ceaa-acee.gc.ca/013/006/ministerial_guideline_e.htm), section 7.1.6, explains that you are not required to deliver the public participation activities yourself, but you are expected to ensure the adequacy of any activities delivered on your behalf. Therefore, when delegating the planning, implementation or evaluation of public participation activities, you should consider what your ongoing role will be throughout the process. For example, you may represent your organization at public events and monitor the quality of the work that is delegated.

Prepare a public participation plan

Once you have determined that public participation is appropriate for your screening, you should prepare (or delegate the preparation of) a public participation plan. Your public participation plan should be incorporated into the work plan for your screening and managed as one aspect of the overall process. This plan will serve as a project management and monitoring tool throughout the EA process.

For guidance and tools for preparing a public participation plan, refer to Chapter 4.

Provide public notice and access to records

Before providing opportunities for public participation in this phase, you must inform the public, in a timely manner, about the commencement of the EA and the opportunity for public participation.⁵

As a minimum, within 14 days after the start of a screening you are required to post a notice of EA commencement on the Internet site of the Registry and, when providing opportunities for public participation, you must provide public notice about the opportunity for public participation. Such notices must also be posted on the Registry Internet site, as explained and depicted in Appendix 3A.⁶

In addition to the Registry, you should consider other relevant means to notify the public about the screening and the public participation activities.

⁵ This obligation is emphasized in section 7.1.5 of the Ministerial Guideline.



To see examples of public notices on the Registry Internet site, go to www.ceaa.gc.ca/050/index_e.cfm and look for the list of “quick links” to projects currently inviting public comments. You can also do an “advanced search” for projects where public participation was solicited.

Provide opportunity for participation

Once you have met your Registry obligations and have adequately notified the public, you may start your public participation activities.

Chapter 5 offers information about approaches and techniques that may be used to provide opportunities for public participation during this phase of your screening.

File comments received

A project file must include all records produced, collected or submitted with respect to the environmental assessment of the project. This includes all public comments received; therefore, any public comments received in relation to the screening process must be included in the Registry project file.

When public participation is undertaken, an opportunity to comment on these records must be provided to the public.



Definition of a record

According to the *Access to Information Act*, a “record” is any documentary material, regardless of medium or form. For example, a record may include any correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microform, sound recording, videotape, machine readable record, and any other documentary material.

This means that all public comments must be included in the project file, regardless of their format (i.e., even if they are not provided in writing).

Consider public comments

In accordance with paragraph 16(1)(c) of the Act, every screening of a project shall include consideration of the comments from the public that are received in accordance with the Act and its regulations. In Phase 1, for example, this could mean considering comments and broadening the scope of the assessment to include issues of local concern or regional environmental sensitivities that may need to be addressed.

Methods for integrating and considering the input received are discussed further in Chapter 5.

⁶ *Canadian Environmental Assessment Act*, paragraphs 55.1(2)(a) and (h).

Document your consideration

It is important to start documenting your consideration of public comments so the screening report can:

- document the basis on which you determined whether to provide opportunities for public participation; and
 - demonstrate how public input received to this point has contributed to the conclusions in the screening report; or
 - explain why the conclusions were not affected by public input.
-

Phase 2. Conduct Analysis and Prepare Screening Report

Review your public participation determination

If you were initially of the opinion that public participation was not appropriate, you should revisit the criteria and re-examine your determination in case your opinion changes as a result of new information, a need for more information arises or shifts occur in public interests.

If you determine that public participation is now appropriate, document your decision and rationale in the screening report and Registry project file.

Review the public participation plan

If you have already prepared a public participation plan, you should review your plan and verify whether any aspects of it should be adapted because of new information or changing circumstances.

For example, it may be necessary to modify the plan to adapt to the evolving EA process and the needs of the interested parties. This is in keeping with the Ministerial Guideline's element of meaningful participation "adaptive processes" which says, "*public participation processes should be designed, implemented and revised as necessary. ... This process may be iterative and dynamic in keeping with the reasonable expectations of participants.*"

Should you involve the public in Phase 2?

Public participation may be valuable for the analysis portion of the screening in Phase 2; therefore, you may choose to consult with the interested parties or more actively engage them during this phase.

For instance, during this phase you can seek public input to enhance the information about valued ecosystem components (VECs) and assist in the identification and analysis of potential environmental effects. Likewise, public participation can identify potential means for reducing potential adverse environmental effects.

Public involvement during the analysis can help to:

- fill information gaps about the environment and potential environmental effects;
 - identify local values, preferences and issues of concern;
 - balance biases and avoid inaccuracies in the analysis;
 - assist in the identification and consideration of mitigation measures; and
 - select a best practicable alternative.
-

Provide public notice and access to records

Before providing the public with an opportunity to participate in this phase, you must provide public notice and access to information in the Registry as described in Phase 1.

Provide opportunity for participation

Once you have met your Registry obligations and you have adequately notified the public, you may start your public participation activities.



Chapter 5 offers information on the approaches and techniques that may be used to provide opportunities for public participation during your screening.

File comments received

Any public comments received in relation to the screening process must be included in the Registry project file.

Consider public comments

Any public comments received should be considered in the screening, as described in Phase 1.

Methods for integrating and considering the input received are discussed further in Chapter 5.

Document your decisions in the screening report

In accordance with section 7.1 of the Ministerial Guideline, your screening report should clearly:

- document the basis on which you determined whether to provide opportunities for public participation; and
 - demonstrate how public input received to this point has contributed to the conclusions in the screening report; or
 - explain why the conclusions were not affected by public input.
-

Phase 3. Review Screening Report

Review your public participation determination

If you were initially of the opinion that public participation was not appropriate, you should revisit the criteria and re-examine your determination in case your opinion changes as a result of new information, a need for more information arises or shifts in public interests occur.

If you determine that public participation is now appropriate, document your decision and rationale in the screening report and Registry project file.

Should you involve the public in Phase 3?

If you determined that public participation is appropriate, you must provide opportunities in Phase 3, as a minimum.

If you provided opportunities for public participation in any previous phase, you are obliged, under subsection 18(3), to provide an opportunity for the public to examine and comment on the screening report and the Registry records.

Consultation on the screening report and Registry records can verify the adequacy of the information provided in the report, as well as the appropriateness of the conclusions. Furthermore, public review of the screening report can help to ensure that:

- public concerns were adequately addressed;
- the public's input from earlier events was correctly recorded; and
- information in the report is sufficient and accurate.



You **must** provide the public with an opportunity to examine and comment on the screening report and Registry records, if you provided earlier opportunities for the public to participate in the EA process.

Provide public notice and access to records



The following list summarizes the requirements for public consultation on the screening report in this phase.

- Post a description of the following on the Registry Internet site or post an indication of how such a description may be obtained (if not yet posted):
 - the scope of the project;
 - the factors to be taken into consideration in the screening; and
 - the scope of those factors.

- Give “adequate notice” of the opportunity for public consultation on the screening report and ensure that:
 - a public notice is posted on the Registry Internet site; and
 - public notice is disseminated by any other means (e.g., newspaper and radio advertising), if appropriate.
- Ensure that the screening report is:
 - posted on the Registry Internet site in both official languages (or post an indication of how a copy may be obtained); and
 - available by any other means (e.g., at public libraries or information centres), if appropriate.
- Ensure that all Internet site records, including the completed screening report and any public comments already received in relation to the screening process, are included in the Registry project file and are available for public comment.

**What is
“adequate
notice”**



Subsection 18(3) refers to giving “adequate notice” about the consultation opportunity. Meaningful public participation requires that you give adequate notice to ensure that interested parties have a meaningful opportunity to participate in the screening.

Giving adequate notice for public participation should involve distributing a notice of the opportunity for public participation and ensuring that:

- the notice for public participation reaches the appropriate audience effectively and efficiently (e.g., use methods in addition to the Registry Internet site to reach key interested parties);
- the notice for public participation is delivered at a time that accommodates community calendars to ensure that interested parties are accessible to receive the notice and available to participate effectively in the process (e.g., be respectful of religious holidays and seasonal events when people may not be available);
- interested parties have easy access to sufficient information to understand accurately the project and the EA process (e.g., consider providing information at accessible locations rather than making interested parties file requests for information through the Registry project file); and
- interested parties have a fair and reasonable amount of time to evaluate the information presented, seek input from constituents and respond with comments.

Provide opportunity for consultation

Once you have met the Registry obligations and you have adequately notified the public, you may start your public consultation on the screening report.

This involves giving the public an opportunity to examine and comment on:

- the screening report; and
- any record relating to the project that has been included in the Registry (project file or Internet site).



Making written comments may be intimidating to some interested parties. To ensure that you provide a meaningful opportunity, you should consider other means of obtaining responses. For example, you may hold workshops, open houses or roundtable discussions as part of the EA review. They can be formal or informal, but should be structured in a way that allows for those who are potentially affected to have their say without providing extensive comments in writing. Often, you may need a combination of techniques to obtain meaningful public comments.

File comments received

Any public comments received in relation to the screening process must be included in the Registry project file before the EA decision is made (Phase 4).

Phase 4. Make EA Decision

Before your EA decision

In accordance with subsection 20(4) of the Act, you must ensure that the following records have been posted on the Registry Internet site a minimum of **15 days** before making your EA decision:

- notice of the commencement of the environmental assessment;
 - a description of the scope of the project; and
 - where you have determined to give the public an opportunity to participate in the screening in accordance with subsection 18(3), a description of the factors to be considered in the EA and of the scope of those factors (or an indication of how such a description may be obtained).
-

Should you involve the public in Phase 4?

There is no formal opportunity for public participation during the EA decision phase; however, in accordance with subsection 20(1) of the Act, before making the EA decision a responsible authority must consider both

- the screening report; and
- any comments filed pursuant to subsection 18(3).

After taking into consideration the screening report and any public comments received in accordance with the Act, a responsible authority may make its EA decision regarding its course of action (e.g., whether it may exercise any power or perform any duty or function that would permit the project to be carried out).

Document your decision-making process

In accordance with section 7.1.4 of the Ministerial Guideline, you are expected to demonstrate that any information generated through public participation has been considered in the EA decision.

You should do so by documenting:

- the basis on which public comments were considered in your decision; and
 - how the public comments did or did not contribute to the decision.
-

If there are outstanding public concerns

If there are outstanding public concerns and a responsible authority is of the opinion that the concerns warrant a reference to a mediator or a review panel, in accordance with clause 20(1)(c)(iii) of the Act, the responsible authority shall refer the project to the Minister of the Environment.

The Minister shall then refer the project to an assessment by a mediator or a review panel in accordance with section 29 of the Act.

Note: Under subsection 20(1), there are additional reasons why a project may be referred to a review panel; however, they do not directly relate to public participation.

Provide public notice of EA decision

You must document your EA decision and make the decision available to the public. As a minimum requirement, you must do this by posting the EA decision on the Registry Internet site and including it in the project file.⁷ You may also wish to publish a public notice or notify interested parties through other appropriate means.

Additional methods for informing and providing feedback to interested parties are discussed further in Chapter 5.

⁷ *Canadian Environmental Assessment Act*, section 16.3.

Phase 5. Implement Mitigation and Follow-up Program

Determine if public participation is appropriate

For Phase 5, you should consider whether ongoing public participation might be valuable for the mitigation or follow-up of the project implementation. If so, you may choose to continue to provide any opportunities for public participation that are appropriate for your objectives and circumstances.

Should you involve the public in Phase 5?

Public participation after the EA decision may be appropriate to continue communication with the public and remain open to the interests of parties when the project implementation is underway. Public input at this point may raise information that is useful for adaptive management or for assessing subsequent activities.

During this phase, you may simply wish to keep interested parties informed about the implementation of the project, or you may agree to work more collaboratively by engaging them in the design or implementation of the mitigation monitoring or follow-up program.

For example, during this phase, you may invite local representatives to participate in and scrutinize the design of monitoring or follow-up programs. In such cases, you could present proposed mitigation monitoring plans and follow-up programs at meetings where interested parties may provide input.

In some cases, the public may even agree to be involved in implementing the mitigation, conducting part of the monitoring or carrying out the entire follow-up program. For instance, having local members of the public on a follow-up committee is one means to work together and monitor that mitigation is successfully implemented and any unforeseen environmental effects are identified and addressed. This arrangement can assist you or the proponent in responding to problems as they arise. It can also help to promote good relations with local communities that are interested in or affected by the project.

Provide notice and access to records

No mandatory records relate to public participation in this phase; however, if you provide opportunities for public participation in this phase, it is recommended that you include the following records in the Registry Internet site before the public participation activity occurs:

- any public notice(s) issued to request public input; and
- a description summarizing the follow-up program (or how to obtain this information) if the program design has been prepared.

These records must also be included in the Registry project file.

Provide opportunity for participation

Once you have met your Registry obligations and you have adequately notified the public, you may start your public participation activities.

File comments received and document consideration of input

You must post a description of the results of the follow-up program (or an indication of how a full description of the program and its results may be obtained) on the Registry Internet site.

This description should include:

- a summary of the public participation activities;
- any information generated through public participation; and
- an explanation of whether and how the public comments were considered in the design and implementation of the follow-up program.

Any public comments received should be included in the Registry project file.



In accordance with subsection 55.4(1) of the Act, the Registry project file must remain accessible to the public until any follow-up program in respect of the project is completed.

Appendix 3A. Public Participation Records in the Registry

Registry project file Throughout the screening you must ensure that the Registry project file contains all records produced, collected or submitted with respect to the screening, including any comments filed by the public in relation to the EA (whether written, verbal or provided using another means).

Registry Internet site Certain records must be posted on the Registry Internet site for every screening under the Act. Furthermore, where a responsible authority is of the opinion that public participation in the screening is appropriate, there are additional requirements for posting documents on the Internet site.

These are summarized in the table below.

Registry Record	All screenings	Screenings with public participation	Timing
Notice of commencement	✓	✓	Within 14 days after beginning the screening and a minimum of 15 days before the EA decision. ⁸
Description of the project scope		✓	Before providing the public with an opportunity to examine and comment on the screening report and a minimum of 15 days before the EA decision under section 20. ⁹
Public participation notice(s)¹⁰		✓	Before providing the public with an opportunity to participate at any stage in the screening.
Description of the factors and scope of factors (or notice of how to obtain a description)¹¹		✓	Before providing the public with an opportunity to examine and comment on the screening report and, if an opportunity for public participation is provided, a minimum of 15 days before the EA decision. ¹²

⁸ *Canadian Environmental Assessment Act*, paragraph 55.1(2)(a).

⁹ *Ibid.*, paragraph 18(3)(b).

¹⁰ *Ibid.*, paragraph 55.1(2)(h).

¹¹ *Ibid.*, paragraph 55.1(2)(j).

¹² *Ibid.*, paragraph 18(3)(a).

¹³ *Ibid.*, subsection 20(4).

			<i>Note:</i> The responsible authority may not make an EA decision under section 20 of the Act any sooner than the 15th day after it posts the scope of factors notice. ¹³
Screening report (or notice of how to obtain a copy) ¹⁴	✓	✓	Upon completion of the screening report and no later than the posting of the notice of decision. ¹⁵
Notice of decision ¹⁶	✓	✓	Upon completion of the screening report and following a period of public comment (if provided), but not until the notice of commencement, a description of the project scope, and a description of the factors and their scope (if applicable) have been on the Internet site for a minimum of 15 days.
Follow-up program decision	✓	✓	Upon completion of the screening report and the EA decision.
Follow-up program description and its results	✓*	✓*	* If a follow-up program is implemented.
Any other appropriate information	✓	✓	Throughout the screening, if a responsible authority deems it to be appropriate.

The screening report



The requirement to include the screening report in the Registry is in the interests of public access to information related to environmental assessment, and must be fulfilled regardless of whether you have provided opportunities for public participation pursuant to subsection 18(3) of the Act.

Internet site requirements

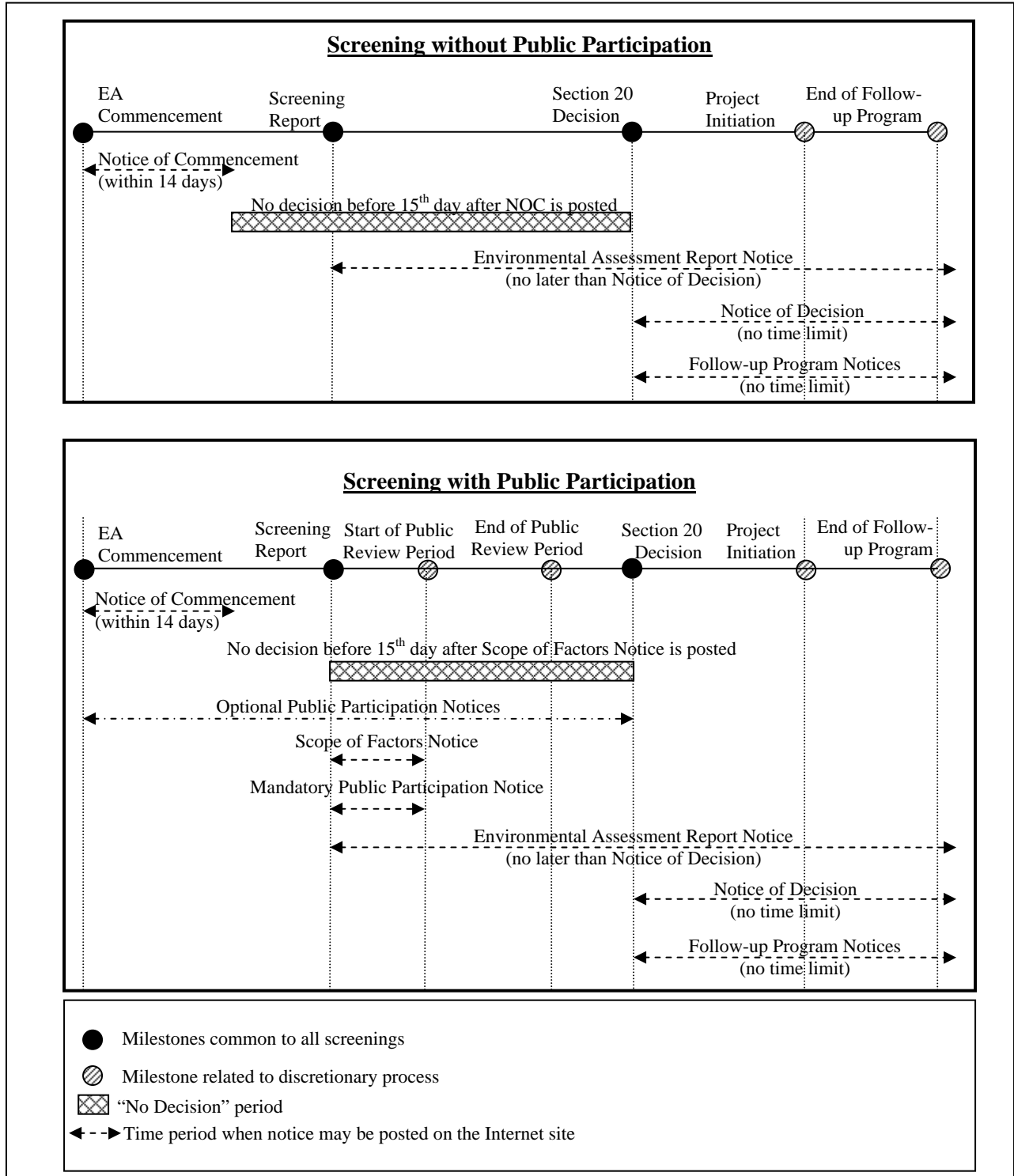
Time-related requirements for posting documents on the Internet site are illustrated on the following page.

¹⁴ Ibid, paragraph 55.1(2)(k).

¹⁵ Ibid, subsection 55.3(3).

¹⁶ Ibid, paragraph 55.1(2)(r).

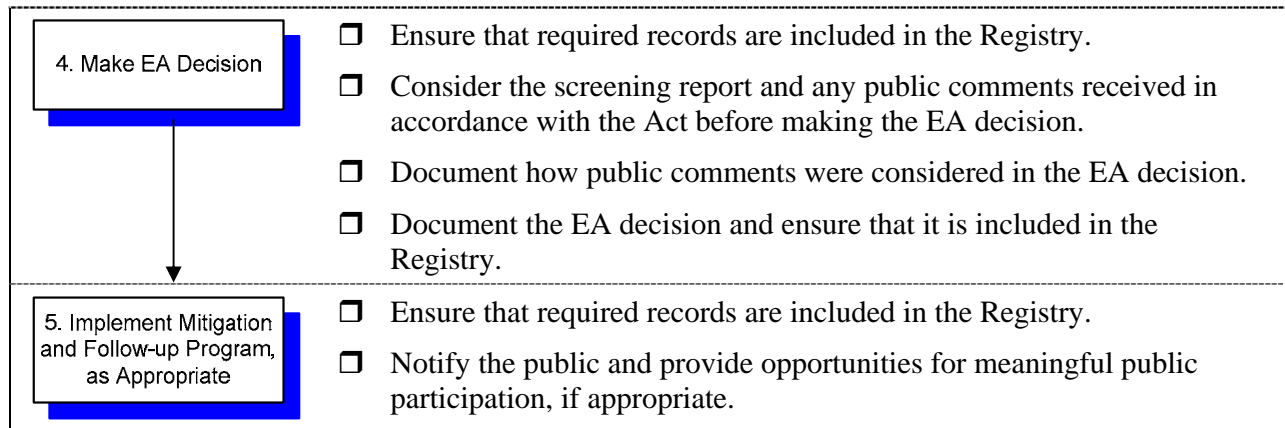
Screening milestones and related Internet site requirements



Appendix 3B. Responsible Authority Checklist

Introduction The following responsibilities, which are based on the requirements of the Act and the Ministerial Guideline, should be completed for each screening.

Phase	Responsibility
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">1. Plan the EA</div> <div style="text-align: center;">↓</div>	<p>Determine if public participation is appropriate:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Determine whether public participation is appropriate for your screening. <input type="checkbox"/> Document your decision and rationale. <p>If public participation is appropriate:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Determine timing of public participation under subsection 18(3). <input type="checkbox"/> Determine who will plan, implement and evaluate the public participation. <input type="checkbox"/> Delegate responsibilities, if appropriate. <input type="checkbox"/> Ensure that a plan for meaningful public participation is prepared. <input type="checkbox"/> If appropriate in this phase, complete the steps presented in Phase 2.
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">2. Conduct Analysis and Prepare EA Report</div> <div style="text-align: center;">↓</div>	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure that required records are included in the Registry (e.g., public notices and any public comments received). <input type="checkbox"/> Ensure convenient public access to the Registry project file and respond to information requests in a timely manner. <input type="checkbox"/> Notify the public and provide opportunities for meaningful public participation, if appropriate. <input type="checkbox"/> Monitor the public participation to ensure that activities planned and implemented on your behalf are adequate. <input type="checkbox"/> Adapt the plan and activities if required. <input type="checkbox"/> Consider public comments that are received in accordance with the Act. <input type="checkbox"/> Demonstrate cultural sensitivity and proper protocols when using community or Aboriginal traditional knowledge. <input type="checkbox"/> Document how public comments have been considered in the screening.
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">3. Review EA Report</div> <div style="text-align: center;">↓</div>	<ul style="list-style-type: none"> <input type="checkbox"/> Give adequate public notice of the opportunity to comment on the screening report. <input type="checkbox"/> Give the public opportunity to examine and comment on the screening report and on any Registry record relating to the screening.



Appendix 3C. Responsibilities Checklist - Other Parties

Introduction The following responsibilities are based on the requirements of the Act and the Ministerial Guideline and should be completed when participating in a screening under the Act.

Canadian Environmental Assessment Agency

- Provide advice and guidance on the application of the Act and the Ministerial Guideline.
- Ensure that Registry records are included in the Registry Internet site if appropriate.

Federal Environmental Assessment Coordinator

- Determine the timing of any public participation, in consultation with federal authorities who are or may be responsible authorities, when the responsible authority determines that public participation is appropriate.
- To facilitate public access to Registry records, ensure that a copy of any such record is provided in a timely manner on request.
- Consider the Ministerial Guideline when ensuring that federal authorities fulfill their obligations in a timely manner.
- Ensure that the Ministerial Guideline is considered in discussions with non-federal jurisdictions in the case of multi-jurisdictional screenings.

Expert Federal Authority

- Review and provide feedback regarding any public comments received, if requested to do so by the responsible authority.

Proponent or Consultant

- Design, implement and evaluate the public participation activities if delegated responsibility to do so.
- Ensure that any delegated public participation opportunities that you provide are meaningful and meet the requirements of the Act and the Ministerial Guideline.
- Consider public participation as an ongoing process and part of the way in which to do business.

Participants

- Commit and consent to sharing, fully and on a timely basis, information that would not be otherwise protected by laws relating to access to information and privacy.
 - Demonstrate respect for other participants and for the process by acting honestly and ethically, declaring your own interests and perspectives, and respecting other perspectives, values and cultures.
 - Be accountable for reporting back to your constituents in a fair, timely and accurate manner.
-

Chapter 4. Planning for Public Participation

Chapter Overview

Purpose of Chapter 4

This chapter assists in the practical preparation of your public participation plan, including overall objectives, a strategy and individual activities. The chapter provides recommendations for best practices and tools to help you plan a meaningful and effective public participation process.

Contents

This chapter contains the following main topics.

Topic	See Page
Part 1. Public Participation Planning – An Overview	4-3
Part 2. Establish Objectives for Public Participation	4-8
Part 3. Develop a Strategy	4-14
3.1 Collect Preliminary Information	4-15
3.2 Identify Key Interested Parties	4-17
3.3 Contact Interested Parties	4-21
3.4 Determine Level of Public Participation	4-25
3.5 Select Public Participation Activities	4-33
3.6 Identify Time Lines for Activities	4-39
3.7 Allocate Financial Resources	4-44
3.8 Establish Your Team, Roles and Responsibilities	4-50
3.9 Develop a Documentation Process	4-55
Part 4. Prepare a Detailed Plan for Each Activity	4-57
Part 5. Plan to Adapt and Evaluate the Process	4-63



This chapter contains many templates, worksheets and tools that may assist you in planning and implementing your public participation activities.

Intended audience This chapter is intended for anyone who would like practical approaches for planning for public participation in an environmental assessment (EA) process. This may include federal responsible authorities or any other parties, such as proponents or consultants, who have been delegated the responsibility to ensure that opportunities for meaningful public participation are provided.

Note: In this chapter, the term “you” addresses any individual or group responsible for aspects of a public participation plan, regardless of whether the individual or group is a responsible authority.

Application of chapter This chapter applies once a responsible authority has determined that public participation is appropriate, as described in Chapter 2.

Although this chapter presents the information in the context of screenings, the suggested approaches and tools may be applied to any scale of EA if appropriate. Depending on the circumstances of your EA, you may find that certain activities described in this chapter are not necessary for your situation.

Linkage to the phases of an EA Chapter 3 outlined the legal requirements for public participation using five typical phases of a screening.

Chapters 4 to 6 occasionally refer to these phases, but also allow for flexibility with the circumstances of each screening. For example, it is recommended that the preparation of a public participation plan be undertaken in the early planning of an EA (Phase 1); however, planning may occur later in the process if you determine that public participation is appropriate as a result of new information.

Part 1. Public Participation Planning – An Overview

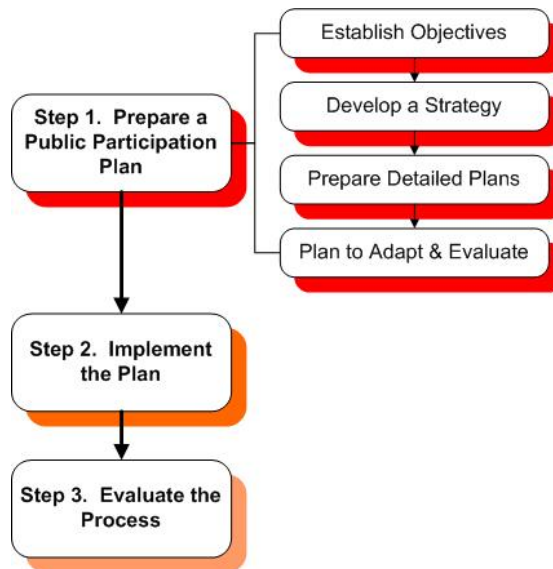
Preparing for public participation

Once it has been determined that public participation is appropriate for a screening, start to plan how you will provide meaningful opportunities for the public to participate in the screening process.

Framework for the public participation process

The flow chart below depicts a framework for a public participation process. This chapter covers the planning step, while chapters 5 and 6 cover implementation and evaluation.

Although the diagram presents the tasks in a series of linear steps, activities in the process can occur concurrently or can be adapted as new information becomes available or circumstances change.



Why do you need to develop a plan?

A public participation plan sets a roadmap of what will be done, when, with whom, by whom and where. A thoughtfully constructed, dynamic planning document can serve as an implementation guide and as a historic document of the process once it is completed.¹

A written plan will be a reference of the steps, activities and resources needed to implement your public participation process and ensure that it is effective and meaningful. Planning will help to ensure transparency and create a common understanding of the objectives and the process so everyone involved has similar expectations.

¹ IAP2. 2005. *Planning for Effective Public Participation*.



Taking time to prepare a plan can help you to:

- ✓ set strategic objectives that are clear, feasible and measurable;
- ✓ establish a team and identify decision makers;
- ✓ identify resource requirements and set a budget;
- ✓ identify likely participants, their needs and expectations;
- ✓ anticipate potential challenges and identify possible solutions;
- ✓ identify your organization's approach and expectations;
- ✓ develop suitable time lines;
- ✓ identify areas for coordination within your organization and others;
- ✓ establish criteria for evaluation;
- ✓ identify methods to document contacts, issues discussed and key dates; and
- ✓ share information about the public participation with key stakeholders and interested parties.

When do you need to develop the plan?

Prepare your public participation plan early in the planning phase (Phase 1) of the EA so you can identify and obtain adequate resources. Early planning will allow more flexibility with timing and will help you to be prepared in advance of any formal public participation activities.

To be effective and meaningful, the public participation plan should be an integral part of the EA planning process. It should not be an add-on that is put in place after the public voices concerns about the decisions being made. It should be planned at the very beginning of the process, just like any other technical consideration.

Development of a plan is particularly beneficial before you provide opportunities for public participation during the early phases of the screening (e.g., during scoping, analysis and drafting of the screening report) rather than simply at the final report stage, because you will have a better sense of the resources and time required to complete the activities effectively.



Remember... the plan is a “living document” to guide the process based on the information available at any given time. Although prepared in the early stages, it should be monitored and adapted throughout the process as circumstances and feedback require.

Who should develop the plan?

In most circumstances, it takes many people to undertake the preparation and implementation of a public participation plan. Rarely does any one person have all the information needed to develop a plan; therefore, you may have to rely on the knowledge and expertise of others, such as technical experts, communications officers, the proponent and senior management.

In many cases, the responsible authority may delegate the task of ensuring that the public participation activities are carried out for the EA to a proponent or consultant. If a responsible authority has delegated these tasks, the planning should occur in consultation with the federal environmental assessment coordinator (FEAC), the proponent, other federal authorities and other jurisdictions.



Depending on your level of experience and the extent of the effort likely to be required, you may employ a public participation expert or consultant with facilitation expertise to assist in the planning, implementation and evaluation of the process.

Input of other decision makers

The preparation of the public participation plan may include internal parties, external decision makers and other interested parties.

The initial preparation should involve any concerned federal government parties, provincial and territorial governments and proponent organizations, because this is an opportunity to:

- get commitment from all decision makers and all parts of your organization that will need to contribute to making the public participation process work; and
- work out differences between decision makers (e.g., the proponent, different federal departments and within your organization) before going to the public.

Active involvement of all parties, including the responsible authorities, ensures everyone is on the same page and is supportive of the public participation objectives, process and requirements.



Public participation activities are often planned and implemented in the field even though the decision maker may be located at headquarters or in another organization. In these cases, it is essential that the team planning and implementing the activities be able to consult with the decision maker(s) throughout the process.

Input of participants

Since no single public participation plan applies to all interested parties or all projects, it is important that each process be planned on a case-by-case basis and that the appropriate peoples are involved in the design and implementation of the process.

Involving key stakeholders in the development of the plan can help to build trust, increase awareness and highlight issues and concerns early in the process. In fact, for a meaningful and successful process, it is essential that the plan is developed in partnership with interested parties.



While the public participation plan can be drafted internally by the responsible authority or proponent, it will likely require modification once communication with appropriate interested parties has started.

What should be in the plan?

In general, the plan should clearly document the intended process. The following points are a guideline and can evolve with community input.



- Your plan should detail the following information:
- clear scope, objectives and rationale for the public participation process;
 - plain language project description;
 - responsible authority and proponent contact information;
 - description of any other parallel consultation processes and coordination requirements;
 - potential issues and challenges, and how they may be addressed;
 - key interested parties to involve;
 - level of public participation for each objective and phase of the EA;
 - detailed plans for implementing each public participation activity, including logistics, information and communication requirements;
 - time lines for participation activities, including significant milestones;
 - financial and human resource requirements;
 - procedures for documentation;
 - procedures for providing feedback to participants;
 - indicators and procedures for evaluating the process; and
 - any other information necessary to ensure adequacy of the public participation process.

The following page shows a sample outline of a public participation plan.

Sample: Public Participation Plan Table of Contents

Executive Summary

1. Introduction and Background

- Brief project overview
- Summary of proposed EA process, including time line
- Summary of the proposed scope of the public participation plan
- Specific public participation objectives

2. Preliminary Research and Initial Contact

- Methods for gathering preliminary information
- List of potentially interested parties and community profiles
- Identification of major issues or challenges and anticipated level of interest

3. Summary of the Strategy and Activity Plans

- Level of public participation for each objective and phase
- Proposed public participation activities and techniques
- Specific roles and responsibilities
- Detailed project schedule and budget
- Operational and logistical details for activities
- Work schedule, assignments and deadlines
- Internal and external communication plan
- Documentation / record keeping process for each activity
- Methods for monitoring and adapting each activity
- How feedback will be provided

4. Evaluation of Activities and Process

- Evaluation strategy, indicators and data sources for evaluating the process and outcomes

5. Appendices (optional)

- Schedule of planned public participation activities
- Site and facilities description (e.g., maps, demographics, geography)
- Locations of scheduled public meetings
- Contact lists and databases of key interested parties and other stakeholders

Part 2. Establish Objectives for Public Participation

What are objectives?

Objectives are clear, feasible and measurable targets of what should be done. They define specific outcome-oriented actions that you wish to accomplish in your public participation process.

Why establish objectives?

You will not be able to make well-informed choices about what public participation activities you should undertake until you have a clear idea of what objectives you want to accomplish with the public's participation.

Clearly defined objectives will help you to:

- ✓ set manageable expectations for the plan;
 - ✓ select appropriate and meaningful public participation activities;
 - ✓ identify information exchange requirements;
 - ✓ maintain a focus for the design and implementation of the plan;
 - ✓ remain transparent and accountable throughout the process; and
 - ✓ establish indicators to be used to measure and evaluate success.
-

When do you establish objectives?

It is important to establish your objectives at the beginning of the planning process, because they will directly influence other aspects of planning, such as the level and type of public participation activities that you will use.



You will not be able to make well-informed choices about what public participation activities you should undertake until you have a clear idea of the objectives you want to accomplish through the participation process.

How do you set objectives?

To develop clear, achievable objectives, start by answering questions, such as:

- What do you want to achieve as a result of this process?
- Why is public participation important in the EA?

Each objective should link the role of the public with the intended outcomes of the public participation process, that is, they should clearly identify the appropriate role of the public in the process, how their input will be used, and what input you need to gather from them. As well, your objectives should reflect how the public might provide additional information or knowledge for the EA.

For example, if what you want to achieve is to learn from community knowledge, a specific objective may be to obtain knowledge from local farmers regarding environmentally sensitive areas or uses of natural resources.

How do you write a good objective?



Each objective should be “S.M.A.R.T.”, meaning:

Specific	<ul style="list-style-type: none"> state what will be done, the outcome expected and those involved
Measurable	<ul style="list-style-type: none"> define outcomes that can be measured and documented
Achievable	<ul style="list-style-type: none"> set expectations that are realistic
Relevant	<ul style="list-style-type: none"> the outcomes of meeting the objective will support the overall public participation goal and level (see section 3.4)
Timebound	<ul style="list-style-type: none"> set an expectation for when the objective will be achieved

Consider different audiences

You may need to tailor your objectives to the different parties participating in the EA process. Different groups may have different expectations, needs and capacities in relation to their participation; therefore, you may have separate objectives for different participants in the process.

For instance, those who have community knowledge to contribute to the EA process will require an appropriate means for sharing their information with you; whereas others may simply want to be informed about the progress of the project and have an opportunity to examine the EA report.



To ensure meaningful public participation, it may be beneficial to discuss your proposed objectives with interested parties. For example, you may discuss your objectives when making informal contact early in the planning stages. Through these discussions, you may decide to modify the scope and objectives of the public participation process and, where appropriate, work with the parties to meet the objectives.

Consider different EA phases

Because the scope of each public participation plan will be unique, the number and nature of the public participation objectives will vary for each screening. Objectives may also vary depending on the type of EA and the phase of the EA.

For example, you may set one objective to solicit input in the scoping phase (Phase 1), another to build consensus in the analysis and reporting phase (Phase 2), and then a third to inform the interested parties once the

responsible authority makes the EA decision (Phase 4).

The following table provides example objectives for each phase of an EA.

Phase	Example Public Participation Objectives
1. Plan the EA	<ul style="list-style-type: none"> • To gather input from interested parties regarding the level and nature of their interest in order to better plan public participation activities related to the EA. • To obtain local knowledge from interested parties to enhance your understanding of the environmental, cultural and socio-economic setting of the proposed project for use in the scoping of the EA.
2. Conduct Analysis and Prepare EA Report	<ul style="list-style-type: none"> • To understand the views, and reasons behind the views, of the interested parties regarding the potential environmental effects. • To solicit public input or views regarding potential alternatives and mitigation measures to reduce environmental effects. • To work with interested parties to resolve a topic-specific issue.
3. Review EA Report	<ul style="list-style-type: none"> • To obtain public comments on the EA report to verify whether information in the report is accurate, representative and adequate. • To provide feedback to interested parties about how their input, views, issues and concerns have been considered in the EA process.
4. Make EA Decision	<ul style="list-style-type: none"> • To inform the public of the EA decision, how their input was used and next steps.
5. Implement Mitigation and Follow-up Program	<ul style="list-style-type: none"> • To solicit public input into the design of the follow-up program. • To establish a process or a possible role for interested parties in mitigation monitoring or a follow-up program.

Questions to consider



- Examples of questions to consider when developing the objectives:
- Are there any pre-defined objectives (e.g., set by senior management) that must be incorporated in the public participation process?
 - What are the anticipated outcomes of the public participation process?
 - Have all internal parties understood and agreed to the objectives?
 - Are the objectives specific, measurable, achievable, relevant and timebound?
 - Have you documented and shared the objectives with interested parties early in the process?

Worksheet

The following worksheet can be used to record the objectives for each phase. You can later refer back to this worksheet when identifying the level of public participation and the activities that will be appropriate to meet each objective.

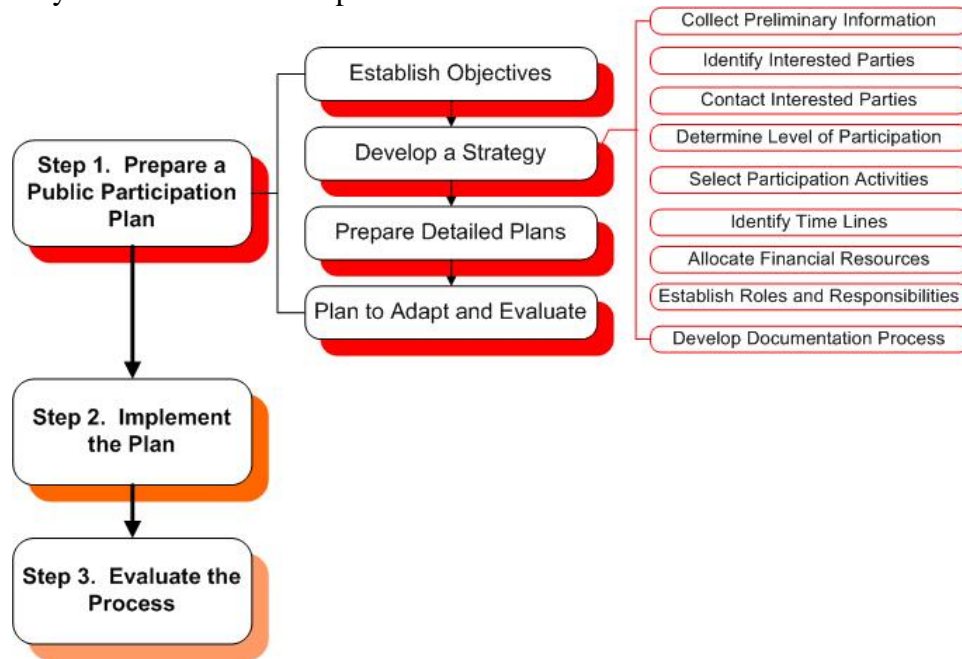
Worksheet - Public Participation Objectives, Levels and Activities by EA Phase

EA Phase	Public Participation Objectives	Levels of Public Participation	Public Participation Activities
1. Plan the EA			
2. Conduct Analysis and Prepare EA Report			
3. Review EA Report			
4. Make EA Decision			
5. Implement Mitigation and Follow-up Program			

Part 3. Develop a Strategy

Establish a strategy

Once your objectives for the plan have been identified, a strategy will outline the elements needed to manage and undertake the public participation plan. Your strategy will provide direction on who may be involved in the process, what activities should be undertaken, when to start and complete the plan, and how you should document public comments.



Contents

The following sections explain a number of tasks involved in the development of a public participation strategy.

Activities	See Page
3.1 Collect Preliminary Information	4-15
3.2 Identify Key Interested Parties	4-17
3.3 Contact Interested Parties	4-21
3.4 Determine Level of Public Participation	4-25
3.5 Select Public Participation Activities	4-33
3.6 Identify Time Lines for Activities	4-39
3.7 Allocate Financial Resources	4-44
3.8 Establish Your Team, Roles and Responsibilities	4-50
3.9 Develop a Documentation Process	4-55

3.1 Collect Preliminary Information

Why collect preliminary information?

Collecting preliminary information will help you learn about the environment and setting in which you will be working. This will allow you to better plan and implement your public participation activities.

Preliminary information will provide direction for determining the most meaningful, effective and responsive plan for your circumstances. It will also help you anticipate potential issues and challenges. For instance, through your research you may discover that language barriers will require a budget and time adequate to accommodate translations of materials to a local language.

What information should you collect?

Begin by finding basic information, such as which parties are most likely to want to participate, their level of interest and what their interests might be.

For example, consider preliminary research that identifies the:

- community groups and organizations in the region;
 - social, economic and political climate;
 - cultural setting;
 - history of the project, issue or area;
 - previous decisions that influenced the project (e.g., government commitments, regional plans or related projects);
 - past issues generating concern related to the project or in the community;
 - current level of concern related to the project; and
 - the level of public expectation for participation in the EA process.
-

How can you collect the information?

You may gather much of your preliminary information in conjunction with other data collected for the EA. For example, you can collect valuable information from existing documents and research by the proponent, other jurisdictions and other federal authorities.

Information sources

In addition, check sources of reasonably available information such as:

- maps showing community locations, treaties and land claims;
 - archaeological studies and archival research;
 - existing land use studies;
 - local knowledge;
 - community groups and other non-government organizations;
 - community newsletters, Web sites and other local or regional media;
 - proponent and other jurisdictions;
 - government publications and Web sites (e.g., demographic information);
 - community, cultural and public leaders;
 - business, industry or professional associations;
 - local or regional service providers (e.g., social services); and
 - elected officials.
-

3.2 Identify Key Interested Parties

Why identify key interested parties?

This step focuses on identifying the individuals, groups and organizations that the public participation process should reach.

Ensuring that the key interested parties have the opportunity to be involved is essential to a meaningful process and outcome. If you leave interested or affected parties out of the information flow, they may interpret this as deliberate and challenge the process as it moves forward.

Who are the likely interested parties?

In relation to environmental assessments, the *Canadian Environmental Assessment Act* defines an “interested party” as “any person or body having an interest in the outcome of the EA for a purpose that is neither frivolous nor vexatious”.

An interested party may be any person or group of people who has an interest or stake in an issue. In the context of EA, interested parties typically form in response to a perceived or actual potential impact on their interests. For example, an interested party might include someone inside the project area who wishes to protect land or resource use, or someone outside the project area who wants to protect a watershed.

For any one project there can be a broad range of interested parties who may participate in the EA, ranging from individuals who are likely to be directly affected in an adverse way, to those who may be positively impacted by the project.



In general, people want to participate when they believe their interests may be affected by a project.

How to identify key interested parties

Identifying the key interested parties may depend on the situation and type of project proposed. Generating a preliminary list of potentially interested individuals, groups and organizations early in the process will help you to identify key parties and to provide a basis for future contact.

In some cases, it may be difficult for you to identify the interested parties. An inclusive approach of identifying all potentially interested parties that could provide valuable information or views for the EA is ideal.

The best way to identify potentially interested parties is to take an active approach, by *actively* researching and assessing who may be potentially impacted by the project and interested in participating in the EA. You can do

this, for example, by identifying issues related to the EA and brainstorming a list of people or groups who may be affected or otherwise have interests in those issues.

Preliminary information for identifying the interested parties likely rests with a number of individuals. You can also solicit information from proponents, community leaders and other parties who may have had contact with interested parties already and research who has previously expressed views or provided input on similar projects.

To supplement this, you may also wish to post the details of the EA *passively* on the Registry Internet site and other locations so interested peoples can also inform you that they want to become involved.



The interested parties identified should not be based solely on who lives in the immediate project area. Other parties could be affected or could provide meaningful contributions for the EA process, for example, those who do not live near the project, but who own property in the area.

**When do
people
participate?**

In general, people participate when they believe the environmental effects of the project may affect them and they hope they can do something to mitigate those potential effects.

People may be interested in participating when:

- they are uncertain about the potential environmental effects of the proposed project;
- they perceive the scale or type of project to be significant;
- their values or interests are affected or may be affected by a project;
- they have values that conflict with aspects of the project;
- they have community or traditional knowledge to contribute to the process; or
- there is high controversy, conflict or distrust of a project, with a proponent, or as a result of past activity.

If people expect to be intensely affected by an environmental effect, they are more likely to participate.

Questions to consider



- When developing a list of potential interested parties, consider:
- What parties live or have interests in geographic proximity to the proposed project area?
 - What parties have already contacted your organization or expressed interest in the EA or the project?
 - What parties have expressed a desire to participate in the EA process?
 - What parties have participated in EA processes for this project or similar issues in the past?
 - What potential impacts could the project have on members of the public? What issues or concerns are likely to be raised?
 - Who might be concerned about these potential impacts or issues?
 - Who do community leaders and interest-based organizations suggest should be involved?
 - What potentially affected peoples are not likely to be represented by an existing group?
 - Who is likely to be interested, or potentially affected, even if they may not appear to be directly impacted?

Have your research checked



Preliminary information that is useful for identifying and learning about potentially interested parties likely rests with a number of individuals. Asking existing contacts to check your list and refer you to others is a good way to make sure you have not missed anyone or misinterpreted any information. You can also check your preliminary list with proponents and others who may have had contact with interested parties already.

In some cases, the interested parties you have identified may be able to advise you of other groups that may also be interested; however, they should not be asked to speak for those other communities.

Worksheet

The following section contains a worksheet, adapted with permission from the International Association of Public Participation (© 2006 International Association for Public Participation, www.iap2.org) to aid in the identification and analysis of interested parties and potential issues.

Analysis Tool - Interested Parties and Issues

Potential Issues (examples)	Level of Potential Impact				Potentially Interested Parties		
	No Impact	Low Impact	Medium Impact	High Impact	Organized Groups Likely to Be Impacted	Impacted Individuals Not in Organized Groups	Other Potentially Interested Parties
Wildlife habitat							
Water quality							
Health							
Socio-economic conditions							
Physical and cultural heritage							
Use of lands for traditional purposes							
Use of resources for traditional purposes							
Structures or sites of significance							
Other							
Other							

3.3 Contact Interested Parties

Why make informal contact?

To gain additional information for developing your detailed strategy, it is valuable to establish contact with the key interested parties you have identified.

This informal contact can help you anticipate the level of effort and activities that may be appropriate for your plan. It will also provide opportunity for you to let interested parties know your proposed schedule for obtaining information and implementing the formal activities.

Another benefit is that meeting key people informally, before hearing them at a public meeting or public hearing, may help build some interpersonal trust and avoid the development of barriers or polarized views between parties with a stake in the EA outcomes.



Making informal contact early in the planning phase can help you to:

- provide preliminary information about the proposed project and EA, as well as the potential public participation opportunities;
- communicate your proposed objectives for the public participation process;
- find key interested parties not previously identified;
- determine if and how interested parties want to participate in the process;
- identify public expectations and preferences for the participation process;
- build and enhance relationships;
- establish support for the proposed process;
- anticipate the level and nature of public interests and views;
- identify cultural norms and protocols that may affect public participation activities or approaches to communication; and
- gather logistical information for planning participation activities (e.g., identifying venues, local media and times of the year to avoid).

When to initiate contact

You should contact an interested party as early as possible in the EA process; however, the process should be at the stage where you can provide adequate information about the proposed project and EA process, what the government's involvement and decision-making role is likely to be, and the proposed role of the interested parties should they wish to participate.



By making early informal contact, key interested parties can provide input on what process and approach will work best for them. Without this information, you will have a hard time developing a meaningful public participation process.

How to contact interested parties

Where possible, it is recommended that you start contacting potentially interested parties at the individual or group level, rather than with regional or national organizations.

Start by using existing contacts. For instance, contact representatives who have already indicated interest or contacted your organization. Also, use existing networks. For example, ask people you know (e.g., the proponent) for contacts they already have.

Where you do not know the interested parties' protocols, a phone call is an effective way to initiate contact to ask whom to communicate with and how. When calling, it is prudent to follow up with a letter or fax so your attempts to reach the groups are documented.

When to contact other groups

Organized environmental groups represent many of the public's interests in environmental issues and resource use. Some organizations are unique to local communities, but many are part of provincial or national associations. In Canada, organizations, such as the Canadian Environmental Network (RCEN), facilitate networking between environmental organizations and support those who take part in public participation processes. Networks such as this have access to common information and resources and may be a source of preliminary information for you.

As part of your overall approach to ongoing public participation, you can keep the lines of communication with these groups open by:

- including them on a mailing list for relevant publications;
- holding meetings with organization executive members to air general concerns and exchange information; and
- holding an annual meeting with organized groups to assess progress and identify concerns.

Another good way to initiate dialogue with the interested parties is to meet with service clubs, unions, the Chamber of Commerce and similar organizations. By attending their meetings and requesting a place on the agenda, you get a chance to contact many people without having them give up extra personal time.

Stay flexible...



During the initial contact with interested parties, it is likely that new information and unanticipated circumstances will surface. You may need to revisit the plan's objectives and your list of key interested parties to adapt to the new information collected.

Provide adequate information and invite their participation

When you establish contact with interested parties, share information about the proposed project, the EA process, the objectives of the public participation process and the proposed nature of their role should they wish to participate.

Ensure that any notice or information you provide is clear, complete, understandable, and in an appropriate format and language for the specific group(s). The information should provide enough detail to allow them to formulate views on the issues and to prepare a response about whether and how they would like to participate.

Also, provide adequate time for them to review your information before making a decision about whether to participate. Do not expect to get an answer during your initial contact or meeting; they may wish to ponder the issues, consult with their memberships and prepare an appropriate response.

Ask how they want to participate²

In the early planning stages, it is important to gain an understanding of how interested parties would like to be involved. Understanding how interested groups wish to participate will help you prepare a better, more constructive and ultimately more productive public participation plan.

As well, by seeking their input, you provide an opportunity to let them influence the plan so it is meaningful for them. By becoming involved at this stage, they will likely take more interest in the participation activities and outcomes.

If there is no response?

There may be a number of reasons why you do not receive a response or why interested parties may not participate. For example, groups may expect longer response times or their offices may be understaffed and simply unable to respond.

In these circumstances, it is important that you make all reasonable attempts to provide opportunities for participation. Follow up one or more times, using different approaches (e.g., by letter, fax or phone), if there is no response.

² CAPP. 2003. *Guide for Effective Public Involvement*, p. 56.

Document your communication

It is important to keep detailed records of your efforts to contact interested parties. If you are asked questions about your process, you may need to ascertain:

- that you took all reasonable steps to notify the interested parties;
- who you contacted;
- how you attempted to make contact;
- that you gave an adequate and reasonable time to respond; and
- that the content of the notice sufficiently described the matter at issue so the interested party could make an informed choice as to whether to respond.



Making a concerted attempt to identify interested parties is crucial to show due diligence. If you leave interested or affected parties out of the information flow, they may interpret this as deliberate and challenge the process as it moves forward.

Questions to consider



Examples of questions to consider when making initial contact:

- Have we made reasonable attempts to identify and contact potentially interested parties and individuals with decision-making authority?
- Have all interested parties who could provide input to the EA process or be potentially affected by the project been invited to participate?
- Have we identified the appropriate representatives of the interested parties?
- Have we considered asking local people to help us meet potentially interested parties?
- Did we provide pertinent information to the parties so they can make an informed decision about whether to participate?
- Did we follow up with phone calls, personal visits, formal letters or faxes?
- Have we stated our proposed objectives from the start and have all interested parties understood them?

3.4 Determine Level of Public Participation

Why determine the level of public participation?

The level of public participation determines how much opportunity the public will have to provide input into the EA analysis and outcomes. For example, it determines whether the interested parties will have an opportunity to work jointly with you on an advisory committee to develop recommendations, or if they will only have an opportunity to provide comments on a final screening report.

The level of public participation will directly affect the activities and techniques you will use throughout the process. Likewise, it will affect your timing and resource requirements, as well as the benefits you will be able to achieve from your public participation plan.

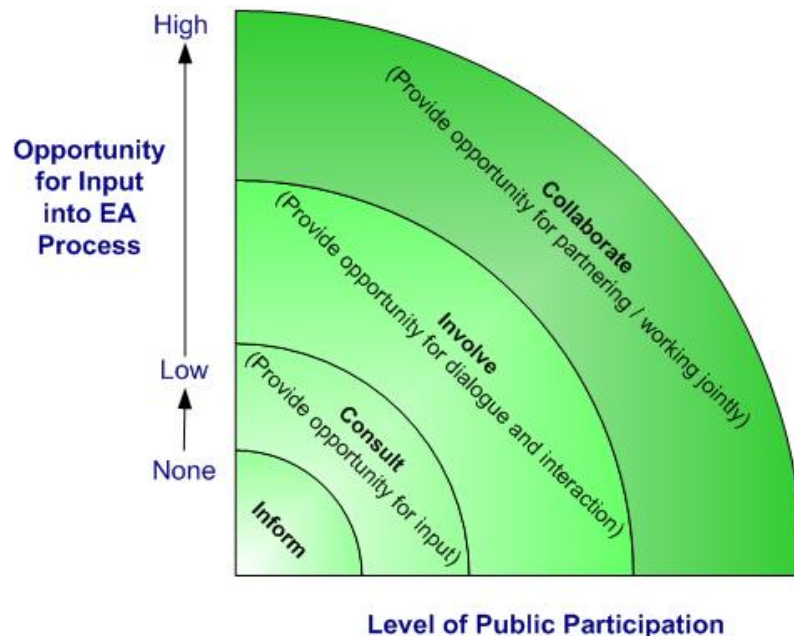
What are the levels of public participation?

Adapted with permission from the spectrum of public involvement developed by the International Association of Public Participation (© 2006 International Association for Public Participation, www.iap2.org), in the context of an environmental assessment, the common levels of public participation are:

- Inform
- Consult
- Involve
- Collaborate

Levels of public participation and opportunity for public input

As depicted below, each level of public participation has a corresponding increase in the opportunity for public input to influence or impact the EA process.





Remember ... a key element of meaningful public participation is “appropriate levels of participation” and the Ministerial Guideline states: “A public participation process should provide for levels of participation that are commensurate with the level of public interest.”

Inform

The first step in a public participation process is to keep the public informed of the status of the proposed project and the EA process. Goals at the “Inform” level can range from providing information to interested parties on an as-requested basis, or more proactively making information available to all interested parties to create awareness of the process and issues.

Whether your efforts for informing the public involve elaborate publications, regular press releases, occasional news stories, Web sites, newsletters or fact sheets, it is important to stick to the facts and provide balanced and objective information.



Under the *Canadian Environmental Assessment Act*, simply informing the public or providing access to information does not constitute public participation. In other words, the Act distinguishes between informing and actively soliciting public input into the EA process by consulting, involving or collaborating with the interested parties.

Having said this, the Act acknowledges the importance of informing the public and has requirements for public notice and access to Registry records. It would not be possible for the public to participate in a meaningful way without ensuring adequate information sharing; therefore the inform level underpins every other step in the public participation process.

Consult

Public participation activities at the “consult” level are used to obtain input that will be considered in the EA or the decision making. Often this input is gathered in response to a specific proposal (e.g., about the project scope) or to the EA report itself. Consultation typically involves the distribution or presentation of a report, proposal or recommendation, and a request for public comments on the information provided.

Consultation techniques can include focus groups, public meetings, community facilitators, tours or interviews followed by questionnaires that solicit feedback, or a public comment period and request for written submissions on a screening report.

Where issues call for input or feedback from the public, you will need some form of consultation as a minimum.

Involve

Public participation activities at the “involve” level include opportunities for dialogue with the interested parties. With involvement, communication increases and the focus is ensuring the EA analysis and report reflects, as much as possible, the consideration of public input, interests, issues and concerns. Involvement activities should start with mutually accepted objectives, such as jointly identifying and addressing one or more specific issues.

Example activities for involvement include workshops, roundtable discussions, facilitated meetings and interactive small group discussions.

Collaborate

Public participation activities at the “collaborate” level consist of more active interaction and partnership than the other levels. They entail seeking direct advice and ideas from the interested parties to work together to identify and develop options and potential solutions.

Collaboration may include joint planning and analysis in relation to the EA process. In such cases, the public may participate in the analysis of issues, contribute to the development of alternatives and directly influence recommendations, decisions and outcomes.

Example techniques for collaboration include advisory committees, task forces and consensus-building activities.

Examples of each level

The following table gives examples of how you may use the various levels of public participation during an EA. The table is an adaptation of the International Association for Public Participation, Public Participation Spectrum (© 2006 International Association for Public Participation, www.iap2.org) and work by the Canadian Standards Association (CSA).

Level	Example Purpose
Inform	To provide the public with balanced and objective information that assists them in understanding the proposed project and the EA process, or aspects of these.
Consult	To obtain and consider public feedback on aspects of the EA analysis (e.g., scope, alternatives, mitigation) or the EA report.
Involve	To work directly with the public by providing opportunity for dialogue and interaction during the EA process to ensure consistent understanding and incorporation of their interests.
Collaborate	To partner with the representatives of the public to resolve

	issues jointly or make recommendations about an aspect of the EA. For example, to identify, evaluate and recommend preferred alternatives in a collaborative manner.
--	--



The worksheet presented at the end of this section can be used to help you determine the appropriate levels of public participation appropriate for each objective that you've set. Once selected, use the worksheet in Part 2 to record the levels of public participation.

How to determine the level of public participation

Your objectives and the circumstances of the EA, as identified through your earlier planning activities, should be the basis for determining the level of public participation.

The challenge of each public participation plan will be to design it appropriately for your particular objectives, the parties interested in the proposed project and the type of information you want to obtain. Furthermore, interested parties may have interest or views of varying degrees and they may require different levels of involvement.

It is very important to gauge the level of interest and anticipate the views of interested parties so you can choose the appropriate level of public participation and plan appropriate activities. Use insight gained from your earlier contact with potentially interested parties to help you identify their expectations for public participation.



“Higher” levels of public participation are not necessarily better in all circumstances. Each level must be selected based on the objectives you wish to achieve and the circumstances of your EA.

Choosing higher levels of public participation

Typically, the level of public participation should increase with the complexity and scope of the project, level of public interest, conflict or controversy. For example, as a general guideline, the greater the potential impact on interested parties the higher the level of involvement required. In circumstances where there are high levels of conflict, controversy or distrust, you should choose a corresponding high level of involvement.

Public participation activities that involve or collaborate with the interested parties typically provide more opportunity for the interested groups to have effective input into the EA analysis and decisions. These higher levels of participation typically stretch over longer periods and provide the most opportunity for adapting to local conditions.

As involvement or collaboration methods generally encourage more dialogue between parties and the responsible authority and/or proponent, their

activities tend to result in a knowledgeable group of citizens who can assist in future issues, give advice for ongoing public participation activities, or be involved in implementation or mitigation activities.

The level of public participation you choose can significantly affect the quantity and quality of input, and will have a direct resource implication. Interactive participation demands the most support in terms of time and resources; therefore, opportunities for involvement or collaboration may be most appropriate when the issues are complex or controversial.

Regardless of the level(s) of public participation chosen, both human and financial resources must be adequate to ensure that you can effectively implement the activities and adequately consider the input received as a result.

Also remember that as the level of public participation increases, so do public expectations of the process.

What can you do?



To ensure that the level of participation is appropriate:

- ✓ conduct a preliminary assessment (e.g., make informal contact and review available information) to identify interested parties' interests and preferences;
- ✓ consider factors, such as the type and scale of the proposed project and the likely level and nature of public interest;
- ✓ consider whether there is traditionally a high level of public interest and participation in the community;
- ✓ consider the level of public interest in past projects of a similar scope or nature;
- ✓ identify the activities and techniques that have worked well in the community in the past; and
- ✓ be prepared to adapt the plan as public interests shift, increase or decrease.

Questions to consider



Examples of questions to consider when determining the level of participation:

- Have you or any other regulatory bodies committed to consult, involve, collaborate or otherwise include interested parties in the EA process?
 - What are the public and stakeholder preferences and expectations regarding levels of participation?
 - What levels of participation are required by other jurisdictions involved with the project?
 - Do resource levels support highly complex, interactive levels of public participation?
 - What is the level and nature of public interest?
 - Is there a high level of concern, controversy or distrust?
 - Do interested parties simply want to stay informed about the EA and project status?
 - Are there significant differences in how interested parties may be impacted based on proximity, culture, ethnicity or socio-economic class? If so, are varying levels of participation required for different groups?
-

Worksheet - Assessing the Level of Public Participation

Worksheet

The worksheet on the following page has been adapted with permission from the International Association of Public Participation (© 2006 International Association for Public Participation, www.iap2.org). It may be used to provide a list of issues to rank and consider when choosing the appropriate levels of public participation. The results of the worksheet can give a general sense of the level of public participation that may be required.

The worksheet may be adjusted to reflect your circumstances. For instance, you may have additional questions that you would like to use in the assessment.

Evaluating the appropriate level

Once you have completed the worksheet, compare your results to the table below.

If any marks were registered at the “high to very high” level, careful consideration should be given to the potential impact of that issue with regard to the level of public participation, even if the average score was otherwise low.

None: 0 POINTS	Very Low to Low: 1 - 2 POINTS	Low to Moderate: 2 - 3 POINTS	Moderate to High: 3 - 4 POINTS	High to Very High: 4 - 5 POINTS
Public participation is likely not needed based on the questions listed.	Public participation may not be needed. Work with key interested parties to identify a comprehensive <i>information</i> program to satisfy public concerns.	Public participation is probably a good idea, consider how <i>consulting</i> or <i>involving</i> will work with the issues and interests of the parties.	Should consider participation at the <i>involving</i> level and probably higher.	Evaluate how key interested parties’ issues and interests and decision makers’ considerations can best be accommodated with <i>involving</i> or <i>collaborating</i> levels of participation.



The worksheet presented in Part 2 can be used to record the levels of public participation that will be appropriate to meet each objective that you’ve set.

ASSESSMENT QUESTIONS	None	Very Low	Low	Moderate	High	Very High
1. What is the probable level of difficulty in solving the problem/implementing solution(s)?						
2. What is the level of existing controversy on this or related issues?						
3. How significant are the potential impacts to the public?						
4. What is the level of significance of this issue to the key interested parties?						
5. To what degree does the public appear to want to be involved?						
6. What is the potential for public impact on the decision?						
7. What are the possible benefits of involving the public?						
8. What are the potential ramifications of not involving them?						
9. What is the possibility that the media will become interested?						
10. What is the likelihood that decision makers give full consideration to public input?						
11. What is the likelihood that adequate resources will be made available to support public participation? (i.e., time, money, people)						
12. What is the likely level of political sensitivity of this issue?						
Count number of checks in each column						
Multiply number of checks by the ranking	x0	x1	x2	x3	x4	x5
Enter column score						
Add total of all five column scores						
Divide total score by the number of questions (12)						
AVERAGE SCORE						

3.5 Select Public Participation Activities

What are public participation activities?³

Once you have selected the appropriate level(s) of public participation for each objective, you should identify the most appropriate public participation activities, that is the events and techniques used to facilitate communication and input from participants. They include hearings, public meetings, town hall sessions and written comment periods.

Selecting an appropriate activity for public participation objectives is a major component of the planning. It is important to select techniques that will involve the public in a meaningful way and will effectively facilitate gathering information and views to inform the EA process.

How to select the activities

In most cases, the *Canadian Environmental Assessment Act* does not specify what activities or techniques you should use for public participation. This allows you the flexibility to select the activities most appropriate for your situation. (In some cases, certain techniques are mandatory, such as public hearings during assessments by review panels.)

Your selection of the appropriate public participation activities will be guided by the decisions made and information acquired in the previous steps of the planning process. For example, your initial contact with interested parties may have provided insights about the types of communication and activities that will work best.



The selection of the appropriate activities and techniques should be driven by:

- meeting your public participation objective(s);
 - the level of participation appropriate for each objective;
 - effectively reaching the interested parties;
 - the nature of the issues on which you seek input;
 - the needs and interests of the interested parties;
 - time and skills available (e.g., to facilitate a collaborative process);
 - availability of resources (human and financial);
 - geographic scope (e.g., national, regional or local); and
 - the range and number of people involved.
-

³ British Columbia. 2002. *Provincial Policy for Consultation with First Nations*, p. 26.

Use a variety of activities

Typically, no single activity will provide all interested parties with a meaningful opportunity to participate. Nor can a single activity offer an adequate range of levels of participation. Consequently, it is recommended that you use several activities and varying degrees of participation in a plan, rather than rely on just one activity. Different techniques will reach different groups of people and will be appropriate to accomplish specific objectives.

For example, it may be appropriate to use at least three different activities if your objectives are to inform the broad public, consult the interested parties on matters such as scoping, and partner with key stakeholders for developing recommendations for alternative means of carrying out the project.



Annex A provides a list of techniques organized by the corresponding level(s) of participation. Each technique is described along with benefits and risks for you to consider when making your decisions about appropriate activities.

Additional techniques are available and are always being developed. You are encouraged to look at additional sources for examples of other activities that may be appropriate.

Consider logistics⁴

When selecting and planning your activities, you must consider the details and logistics, because these can affect the success of the activity and the integrity of the process as a whole. For instance, the location of a community and access during the winter may affect whether a community meeting will be well attended during winter months. You may need to consider delaying the activity until venues are accessible or selecting other activities altogether.

When selecting activities, consider the needs and preferences of targeted participants and other attendees, such as your staff, facilitators and other stakeholders. For example, consider:

- literacy;
- technical knowledge;
- computer access;
- linguistic and cultural differences;
- cultural requirements;
- need for translation and interpretation;
- timing and availability of interested parties;
- location of the interested parties;
- accessibility of the venue location;

⁴ DFO. 2004. *Consultation Toolbox*.

- ability to access information and documents;
 - preferred room set-up;
 - need for security arrangements; and
 - use of media (e.g., type, level and requirements of media).
-

Consider communication needs

When planning each technique, consider how the activity will be advertised, how it will be implemented and who can be expected to attend.

The nature of your communications will vary depending on the proposed project and the preferences of the interested parties you are contacting. For example, if the proposed activity is restricted to a small geographic area and only a single community is involved, the contact might consist of a telephone call or an initial meeting followed by a package of written information.



To ensure meaningful participation, make sure your selected public participation activities are aligned with your defined objectives, the needs of your stakeholders and the appropriate level of involvement.

Check with interested parties

Once you have selected your proposed activities, share your proposed plan with the interested parties. Communicating this at the outset can help you double check your assumptions and verify that you haven't overlooked any factors that may impede the success of the activity.

Whatever level of public participation and activities you choose, you need to define clearly the role of the interested parties at each activity and stage of the EA.



The techniques you select act as facilitators for the participation, but they are not sufficient by themselves to ensure effective or meaningful public participation. Your plan can use the best technique(s) available, but if you lack sincerity, integrity and commitment about considering public input in the EA process and decisions, the plan will not be meaningful and will be open to failure.

Adapt activities as required

You can use most techniques in a number of different ways, depending on the resources and information employed, the objectives of the plan, and the methods used to implement each one.

Any one of a number of activities may be appropriate to meet different objectives, but how effective they are may depend on how flexible you are at adapting if there are issues with the effectiveness of the techniques.

If the activities that you use are not reaching the interested parties or effectively engaging participants in the process, you may need to evaluate why this is. For example, ask: “Do interested parties have logistical limitations that prevent them from responding (e.g., reliance on volunteers) or does a lack of response indicate lack of interest?” Depending on the response, you may need to change your public participation plan and incorporate new or different activities.

Adapting is a key element of meaningful public participation, as discussed further in Chapter 5, Adaptive Processes.

Questions to consider

Examples of questions to consider when selecting public participation activities:

- Are there any legal requirements to use certain techniques?
- Are other jurisdictions or proponents involved in this participation process? Do they have requirements to use certain techniques?
- What activities or techniques have been successfully used for similar plans or projects in the past?
- Have the interested parties had a chance to state their preferred techniques for participation?
- What are the advantages and disadvantages of using certain techniques?
- Will each proposed activity meet the planned objective(s)?
- Will each proposed activity meet the preferences and expectations of the public?
- How effective will the technique be in reaching the interested parties? (For example, is access to the Internet common? Are there cultural protocols or language barriers?)
- Is there sufficient time to implement each activity effectively?
- What is the availability of internal resources (i.e., human and financial resources to facilitate public meetings)?
- Has there been any precedent set that could impact the approach?

Worksheet

The following worksheet has been adapted with permission from the International Association of Public Participation (© 2006 International Association for Public Participation, www.iap2.org).

Refer to the activities in Annex A and complete this worksheet when determining what activities or techniques to use to involve the key interested parties effectively. For more complex projects, you may wish to complete a separate worksheet for each phase of the EA process.

Once you have selected your activities, use the worksheet that was provided in Part 2 to record the activities selected to meet your objectives and level of public participation for each phase of the EA.

3.5.1 Worksheet - Public Participation Activity Assessment

Select the EA Phase: Phase 1 Phase 2 Phase 3 Phase 4 Phase 5

Select the level of public participation: Inform Consult Involve Collaborate

Consider:	Public Participation Activity A	Public Participation Activity B
How will the activity meet the objective(s)?		
How will this activity meet public preferences and expectations expressed during informal contact or previous public participation processes?		
How effective will the activity be in reaching the right audience? (For example, is access to the Internet common? Are there cultural protocols or language barriers?)		
Is there sufficient time to implement the activity? What are the EA and project time lines? (For example, are there regulatory or application deadlines for other jurisdictions?)		
What is the availability of internal resources to implement this activity (i.e., human and financial resources to facilitate public meetings)?		

3.6 Identify Time Lines for Activities

Why identify time requirements?

It is important to consider how much time is required to plan, implement and evaluate each public participation activity so you have a detailed time line of the overall public participation process and its key milestones.

Public participation activities need to be timed early enough to allow the interested parties adequate opportunity to provide input and influence the EA process. They must be carefully scheduled to ensure that the information obtained is available in a timely manner for consideration in the EA process.

To do this, you may need to coordinate the public participation plan with the other project-related activities and technical studies. For example, technical studies may need to be concluded so the public can be given the information it needs to participate effectively. Alternatively, the public may need to be involved in the preparation of relevant studies (e.g., traditional land use studies), so the appropriate information can be used in the EA itself.

An inadequate time frame can diminish the quality and level of input and can erode the confidence and trust of the public.



If the opportunities for participation are too late, or the time lines are too short, the public may get the message that you are not genuine about allowing for their meaningful participation. This can undermine the credibility of your public participation process.

Role of the FEAC

When considering timing, remember that, under paragraph 12.3(c) of the Act, the federal environmental assessment coordinator (FEAC) may, in consultation with the federal authorities that are or may be responsible authorities, determine the timing of any public participation.

Timing of activities during the EA

The benefit of early participation is to obtain input at the earliest stages of an EA. To better incorporate public perspectives, it is important to provide opportunities for participation throughout each phase of the EA process. Public participation needs to be integrated throughout the entire project, rather than done separately or as an activity at the end of the project.

Likewise, public participation should be as continuous as possible to maintain communication and relationships.

The following table provides examples of specific points when public participation may occur throughout each phase of an EA.

Phase	Timing of Activities
1. Plan the EA	<p>Once you have planned the public participation activities, you may start to give opportunities for the public to participate. For example, in this phase you may invite interested parties to:</p> <ul style="list-style-type: none"> ✓ help design the public participation plan (e.g., techniques and time lines); ✓ help develop the terms of reference, schedules, communications and information sharing protocols for the EA; ✓ contribute to or review the environmental impact statement (EIS) guidelines, project scope, factors considered and scope of those factors (e.g., identify valued ecosystem components or VECs); and ✓ provide information for the baseline data collection for the EA.
2. Conduct analysis and prepare EA report	<p>Opportunities for public participation in the analysis can be integral to ensuring the assessment information is complete and accurate. For example, in this phase you may invite interested parties to:</p> <ul style="list-style-type: none"> ✓ participate in establishing criteria and methods for assessing the significance of environmental effects; ✓ participate in the identification of the environmental effects of a project, including cumulative environmental effects; ✓ participate in the identification of alternatives and potential mitigation measures; ✓ be involved in the evaluation of environmental effects and the determination of their significance; and ✓ review and comment on the draft EA report and related Registry records.
3. Review EA report	<p>Once the EA report is finalized, you should give the interested parties:</p> <ul style="list-style-type: none"> ✓ opportunity to examine and comment on the final report and the supporting Registry documents; ✓ opportunity to submit concerns before the EA decision; and ✓ ongoing feedback about how the EA has been modified to address concerns.

<p>4. Make EA decision</p>	<p>In this phase the responsible authority should:</p> <ul style="list-style-type: none"> ✓ review submissions or presentations provided by Aboriginal groups during the engagement process; ✓ consider both the EA report and the comments received from the public before making the EA decision; ✓ notify participants of the decision made and next steps; and ✓ tell the public why and how their interventions were or were not incorporated into the decision-making process.
<p>5. Implement mitigation and follow-up program</p>	<p>There may be a need for implementation and monitoring of mitigation and, as appropriate, the follow-up program. In such a case, you may:</p> <ul style="list-style-type: none"> ✓ invite interested parties to be involved in the design and implementation of any follow-up programs; and ✓ ensure that interested parties are routinely informed about the project, including providing access to information about any environmental effects, monitoring programs and the effectiveness of mitigation.

How to determine the time required for the plan

The appropriate allocation of time for planning and implementing public participation activities has a significant bearing on the outcome and success of the process. The amount of time required will be influenced by:

- the nature of the project (e.g., scale and level of public concern);
- the complexity of the issues (e.g., scale and level of concern);
- project milestones (e.g., application processes, regulatory requirements and construction schedules);
- the level of participation and the participation activities selected (i.e., the degree of participation required to achieve your objectives);
- the schedules, size and structures of the interested parties involved; and
- the type and volume of input expected to be received from the public.

Ideally, the time lines will offer enough flexibility to respond to unforeseen circumstances.



Public participation activities should be held during times of the year that are suitable for the groups in question, based on mutually agreed timetable that takes into account their community needs.

Involve the interested parties⁵

Involving the interested parties in the development of the time lines is important for building relationships and trust, and for understanding what time lines are realistic and feasible for the people you are engaging. For example, representatives of the interested parties will be more able to provide realistic estimates of the time participants will need during the process. They can also advise you of certain times of the day or year when some participants may not be available.

To avoid confusion about opportunities for feedback, the expected time frames, number of meetings and expectations should be discussed with the interested parties. It is very important that they know that this is the time to get their voices heard, and that there may not be more opportunities to voice their point of view later.

Whether or not they wish to be involved in setting time frames, the groups should always be aware of the schedule, be able to monitor progress and be informed of any adjustments that might be required.



When determining the time lines that are appropriate for your plan, remember that a key element of meaningful public participation is “reasonable timing.” This element states:

“A public participation process should provide the public with a fair and reasonable amount of time to evaluate the information presented and to respond to project proposals and to proposed decisions by proponents and responsible authorities.”

Identify and monitor milestones

Public participation plan milestones mark the key accomplishments, deliverables or events in the process. Specific milestones will vary by project.

You should identify milestones to measure the progress of the public participation plan, helping you to determine whether your plan is on track to finish as planned, expected and required. Assessing the outcomes at critical points throughout the process will provide the opportunity to revisit and adjust the plan to ensure that you achieve your objectives.

⁵ AFN of Quebec and Labrador. 2003. *First Nations of Quebec and Labrador Consultations Protocol*.

Questions to consider

Examples of questions to consider when developing time lines:

- What are the EA and project time lines?
- Are there decision-making deadlines that are not flexible? (For example, are there regulatory or application deadlines for other jurisdictions)?
- Is there a defined completion date for the EA? What is the anticipated duration of the EA?
- What is considered by the interested parties to be an “adequate” amount of time to respond to the issue?
- How much lead time is required for dissemination of information?
- How much time is required to provide interested parties with meaningful opportunities to be involved, respond and provide input?
- Have interested parties explained the process and time they will need to consult their constituents?
- Are the interested parties available to participate at proposed times?
- Have participants reviewed and committed to the time lines?
- What level of public participation is appropriate in each phase and how much time is required to provide the interested parties with a realistic opportunity to become involved at that level?
- Are there other events that will hinder the level of participation at certain times (e.g., during fishing season, potato harvest or religious periods)?
- How much time will be required to compile, evaluate and respond to public input?
- Have you planned time to follow up with the interested parties after each activity?

3.7 Allocate Financial Resources

Why allocate resources?

Some of the success of a public participation plan depends on a number of administrative factors, such as funding and personnel. You will need to pay close attention to these factors and ensure that you have adequate human, technical and financial resources to plan, implement and evaluate the activities you plan to undertake.

Estimating resource requirements

The preparation of a budget estimate will provide a mechanism for you to establish a management commitment for the level of support the plan can expect to receive.



Considerations when developing a budget include:

- number, type and scale of public participation activities;
 - estimated duration of the public participation process;
 - requirements for technical information and expert advice;
 - preliminary research requirements (e.g., government documents, studies, literature);
 - preparation and distribution of relevant materials (e.g., discussion documents, background materials, meeting summaries, etc.);
 - approach for disseminating information and mechanisms for two-way communication (e.g., advertising, publications, hotlines, travel);
 - methods for tracking, recording and analyzing public input (e.g., staff recorders, technical equipment, databases, software); and
 - requirements for evaluating the public participation activities and reviewing the overall success of the plan.
-

Coping with limited resources

The resources required for each plan will vary and should be commensurate with the level of public interest and the nature of the project. When developing your plan, carefully consider the availability of resources and the resource requirements. It is important to match the public participation process with both project needs and the resources available.

If your monetary resources are limited, this should be identified as a risk to the overall success of the public participation process. In these circumstances, you may need to redefine the key objectives to focus your activities on the issues that are of greatest interest to the public and which will move the EA forward in significant ways. For example, you may have to opt for some relatively inexpensive activities that can, nonetheless, be very effective. Consider the costs and benefits of your proposed activities and implement the ones you expect will best meet the objectives and produce meaningful input for the EA process. By doing so, budget planning can ensure consideration of what is essential, thereby ensuring that the participation process is as meaningful as possible.

As well, consider existing consultation mechanisms and initiatives, such as stakeholder boards and advisory committees, which might offer a cost-effective opportunity to gather the input you need.



Remember... public participation does use more resources in the short term, but providing opportunities for meaningful public participation is an important component of the Act and the long-term benefits can be much greater.

Develop your budget contents⁶

Developing the budget can help you anticipate the likely costs for the design, implementation and evaluation stages of the public participation process. In all cases, remember that it is important to build in flexibility to respond to changing circumstances and demands.

The budget should make allowance for a number of factors, as listed below.

⁶ Parks Canada. 2006. *A Handbook for Parks Canada Employees*, p. 29; AFN of Quebec and Labrador. 2003. *First Nations of Quebec and Labrador Consultations Protocol*.



Some costs that might need to be included in the budget:

- travel and accommodation for staff;
- public notices and advertising (e.g., notices in newspapers, radio ads);
- communication material (e.g., preparation, printing, photocopying and shipping);
- translation and simultaneous interpretation;
- venue rentals (e.g., meeting rooms, community halls, technical services, equipment);
- hospitality (e.g., coffee, lunches);
- office expenses (e.g., phone, fax, copying, postage, office supplies);
- honorariums or ceremonial offerings (e.g., tobacco);
- provisions for participants with special needs;
- security;
- hiring facilitators and subject matter experts; and
- administrative needs for compiling and analyzing input received.

Questions to consider



Examples of questions to consider when developing the budget:

- What financial resources do we need and what is available?
- Have we prepared a budget that includes all expenses expected to be incurred throughout the process?
- Has the budget been approved by senior management?
- Will additional resources be needed to facilitate the process?
- Is there financial support available to support the participation of interested parties?
- Have we prepared an adequate internal budget that includes travel and accommodation, in-kind support, translation, etc.?

Budgeting template

Adapted from a template developed by the Healthy Environments and Consumer Safety Branch at Health Canada, the following worksheet can be used to help you plan your budget.

Your plan may not require all of these items, or it may require more, depending on the scope and scale of the project.

Public Participation Planning Budget

Developed by Health Canada (Corporate Consultation Secretariat, Public Affairs, Consultation and Regions Branch)

Public Participation Requirement	Consultant Services ⁷	Travel, Accommodation, Meals, Hospitality ⁸	Meeting Space, Equipment ⁹	Paper Materials ¹⁰	Translation ¹¹	Incidentals, Special Considerations, Honorariums ¹²
STEP 1. PLANNING						
Reviewing the criteria, determining if public participation is appropriate						
Creating public participation objectives						
Understand stakeholder environment (identify stakeholders, issues, etc.)						
Create a list / database of interested parties						
Choose appropriate activities						
Identify challenges						

⁷ Consultant services: design and planning advice \$600-1,200 per diem; logistics planning \$400-600 per diem; facilitation \$600-1,200 per diem; reporting \$400-800 per diem.

⁸ Travel, accommodation, meals, hospitality: Treasury Board rates; hotels: \$80-150 per night.

⁹ Meeting space, equipment: Meeting rooms are often negotiable with hotel rooms; equipment may include audiovisual, sound, flip charts, etc.

¹⁰ Paper materials: Variable, includes photocopying, HTML publishing, mailing, etc.

¹¹ Translation: e.g., 25 cents per word for documents (French); plain language translation.

¹² Incidentals, special considerations, honorariums (e.g., simultaneous interpretation variable \$2,500-5,000 per day).

Public Participation Requirement	Consultant Services⁷	Travel, Accommodation, Meals, Hospitality⁸	Meeting Space, Equipment⁹	Paper Materials¹⁰	Translation¹¹	Incidentals, Special Considerations, Honorariums¹²
Develop public participation plan						
STEP 2. IMPLEMENTATION						
Distribute relevant information						
Capacity building activities¹³						
Public participation activities¹⁴						
Travel						
Evaluation						
Participants' input						
Revision of public participation plan						
Monitor results						

¹³ Capacity building activities (e.g., technical training, technical consultant, plain language translation).

¹⁴ Public involvement activities (e.g., open house, community meetings, focus groups, newsletter, Web site).

Public Participation Requirement	Consultant Services⁷	Travel, Accommodation, Meals, Hospitality⁸	Meeting Space, Equipment⁹	Paper Materials¹⁰	Translation¹¹	Incidentals, Special Considerations, Honorariums¹²
Analyze inputs						
Draft results						
Maintain dialogue with participants						
Inform participants of findings						
Inform participants of next steps						
Communicate results broadly						
STEP 3. EVALUATION						
Evaluate and report						
Disseminate best practices, lessons learned						

3.8 Establish Your Team, Roles and Responsibilities

Establish your team

The selection of the person or team who will work with the public or coordinate the public participation plan is critical to the plan's success.

Ideally, the person or team working with the public should be an integral part of the EA team, rather than a separate function. When too far removed from the public participation process, the EA project team does not experience the emotional reality of public opinion. Part of the public's message is the intensity with which it feels certain things. If insulated from this intensity, the decision makers may misjudge the significance of the public's concerns.

To identify the appropriate team members, consider staff requirements for:

- administrative support (e.g., note taking, responding to inquiries);
 - planning, coordination, managing and evaluating the public participation process;
 - organizing, communicating and facilitating public participation activities; and
 - providing technical information analysis and expert advice.
-

Team members¹⁵

An effective public participation team will include a number of individuals with diverse and complementary skills. When preparing your public participation plan and later implementing it, consider assistance from:

- | | |
|------------------------------------|---------------------------------|
| ✓ senior management | ✓ translators and interpreters |
| ✓ EA practitioners | ✓ public affairs advisors |
| ✓ federal EA coordinator | ✓ communications staff |
| ✓ administrative staff | ✓ proponent representatives |
| ✓ legal counsel | ✓ other jurisdictions |
| ✓ policy advisors | ✓ facilitators |
| ✓ public participation specialists | ✓ other subject matter experts. |
-

Roles and responsibilities

Since decisions are made at different levels and by different decision makers within each organization, it is important to outline and document clearly the roles and responsibilities at the beginning of the process so they are clear and understood by all involved.

¹⁵ CAPP. 2003. *Guide for Effective Public Involvement*, p. 55.

***Senior
management***

Before you start a public participation process, it is important that the appropriate senior management in your organization is aware of the EA, supportive of the need for public participation and committed to providing the resources necessary to make the process meaningful.

Your senior management may not be directly involved in the day-to-day activities of a public participation plan; however, they may have an important decision-making role during the process. They should be made aware of the key points where they may be involved and should agree on these points up front, so they are available when needed.

In addition, remember that different decisions are made at different levels and by different decision makers within the organization. All these conditions must be explicit within each department or agency at the beginning of the process, and documented in the public participation plan so roles and responsibilities are clear and understood by all involved.

***The EA
practitioner /
coordinator***

In many cases, the EA practitioner or federal EA coordinator (FEAC) will also be responsible for leading the coordination of the public participation process.

Where possible, these EA professionals are encouraged to seek out and develop expertise specifically related to public participation. Such expertise will prove valuable in understanding public participation practices and will generally be well received by the groups.

To lead the planning and implementation of the public participation activities, the EA practitioner or FEAC is going to need:

- training;
 - technical assistance from experienced experts;
 - support from senior management;
 - ability to be neutral and build relationships with the interested parties;
 - guidelines and policy direction outlining organizational commitments and standards for public participation; and
 - resources (e.g., budget, time and staff) to carry out the plan in a meaningful way.
-

***The role of
public
participation
specialists***

An alternative to having an EA practitioner or FEAC lead the public participation plan is to have personnel with specialized skills and experience run the public participation processes.

If the expertise does not exist within your organization, you may wish to hire someone with more expertise in the field of public consultation, facilitation or public involvement. They can help in areas, such as developing public participation plans, preparing documentation, assisting with communications, writing reports, developing on-line consultations and conducting evaluations.

The risk with this staff approach is that it may provide a degree of separation of the public participation plan from the EA process and decision makers; therefore it is critical to integrate the public participation experts into the EA team and ensure that they will be available for the duration of the public participation process, from planning through to evaluation.



- Some knowledge and skills helpful for practitioners include:
- | | |
|--|--|
| ✓ active listening skills | ✓ facilitation skills |
| ✓ consensus building skills | ✓ negotiation skills |
| ✓ understanding of group dynamics | ✓ conflict management skills |
| ✓ cross-cultural awareness | ✓ cultural sensitivity |
| ✓ willingness to consider new ideas | ✓ willingness to be innovative |
| ✓ experience working with public interest groups | ✓ experience with consultation protocols |

Communication specialists

Some public participation processes will require a formal communications plan, and in most cases, there will be communications materials for public distribution that will need to go through formal design, translation and approval processes.

It is important, early in the process, to:

- define the role communications staff can play;
- determine what type of communications strategy is required;
- identify the types of communications products to be used; and
- identify if joint communications with another party (e.g., another federal authority) is appropriate.



For some complex or controversial projects, communications staff may need to establish and maintain relationships with the media. This is particularly important for larger projects that have the potential for broader environmental effects and wide media interest. In such cases, media relations can often directly influence the success of a public participation process.

Other federal authorities¹⁶

Effective public participation requires coordination and co-operation within the federal government. It is important for all federal entities involved in an EA to work together and coordinate their efforts.

An identified FEAC should contact other appropriate federal authorities to initiate discussions about harmonizing the public participation activities. This will help avoid duplicating activities, for example, with administrations of public interest groups.

Often, such coordination is required across departments at various levels, for example, across senior management, policy, operations, legal services and communications groups.

Provinces and territories

Provincial and territorial governments may also have an obligation to involve or consult with the public and, in many cases, they have already established their own public participation or consultation processes for projects within their jurisdictions.

For initiatives involving both federal and provincial governments, opportunities to coordinate efforts with provinces and territories should be pursued to the maximum extent possible, to increase efficiency by minimizing duplication and conflict.

The proponent

If there is a non-federal proponent, consider whether and how they should be involved in the public participation process.

Industry proponents do not have the same legal duty to involve or consult interested parties; however, they usually have due diligence and business best practices that they carry out in the course of their interactions, relations and dealings with the public. For example, the proponent will often have other consultation or public participation requirements that it needs to fulfill for regulatory approvals. In many cases, they may be involved in communications with the interested parties already.

In these cases, the proponent may already have a public participation process that can assist in fulfilling the EA public participation process requirements. You may be able to benefit from the outcomes of a third party consultation process and any mitigation measures provided by third parties.



A responsible authority need not design and implement the public participation process itself; but it is expected to ensure that any program prepared and implemented on its behalf is adequate and meaningful.

¹⁶ Parks Canada. 2006. *A Handbook for Parks Canada Employees*, p. 28.

Other experts

Many other experts, including writers, interpreters and technical experts are available for hire and may be able to assist with complex projects. You might also wish to seek input from other governments or departments who have expertise related to public participation processes.

Questions to consider



Examples of questions to consider when establishing your team, roles and responsibilities:

- Have we provided senior officials with enough information to ensure their support for this process?
 - What human resources do we need and what is available?
 - What internal staff should be involved and what is their role?
 - What external expertise should we employ and what is their role?
 - Are other consultation or public participation processes under way or planned in relation to the proposed project? How can we ensure all processes will be coordinated?
 - What role will other federal authorities and jurisdictions have in the public participation process? Have they been contacted?
 - What role will proponents or other third parties have with respect to the public participation process? Have they been contacted?
 - Have we discussed the roles and responsibilities of all parties involved?
-

3.9 Develop a Documentation Process

Why develop a documentation process?

Documentation is a critical component of all tasks in a public participation plan. For example, documentation offers a means of recording information for the purposes of transparency and for evaluating the process.

Effective processes for recording participation activities, public input and outcomes will also help you to understand, address and respond appropriately to the views of interested parties throughout the process.

Consider mechanisms for recording input¹⁷

Groups can provide input in a variety of ways. Appropriate mechanisms for gathering and recording information from participants can contribute to a process that is open, transparent and accessible.

During the planning of your participation activities, consider factors, such as:

- how you will record the input received;
- mechanisms for document management (e.g., project databases); and
- mechanisms for ensuring that information is available openly.

Regardless of the method used, it is important to determine the kind of input that is expected, how it will be recorded and where the information will be available for interested parties to access.

Examples of different forms of input include:

Verbal	Written
✓ Audio and videotaping of events	✓ Surveys and questionnaires
✓ Telephone hotlines	✓ Voting
✓ Interviews	✓ Letters and e-mails
✓ Discussions	✓ Written submissions
✓ Note taking of comments during events	✓ Completed workbooks

¹⁷ DFO, 2004. *Consultation Toolbox*.

What should be documented?

The methodologies and tools used to document and track public participation activities and outcomes will vary depending on the scale of the process, specific participation activities, anticipated volume of public input and available resources. It is important to ensure that processes for tracking and documenting public input are consistent throughout the public participation process.



Aspects of the process that should be documented include:

- the proposed plan and any modifications to it;
- key interested parties identified and their contact information;
- individuals and groups contacted (e.g., who was contacted, when they were contacted, method of contact, what was the outcome);
- public notices, advertising and communications material and how and to whom it was distributed;
- records of the participation activities and techniques used during the EA (e.g., interviews, public meetings, open houses or workshops);
- all comments received from participants (both written and non-written);
- details of any agreements, action items and commitments (e.g., responsibility, proposed dates of completion);
- description of ongoing or new communications or participation requirements;
- any responsible authority or proponent responses to public input; and
- the evaluation plan and results.

Part 4. Prepare a Detailed Plan for Each Activity

Prepare detailed plans

To ensure that each public participation activity that you have chosen is implemented effectively, you should determine and document the practical elements necessary to implement each one.

An explicit written plan for each activity will provide direction and help to ensure that the process remains on track. These plans can include how each event will be organized and facilitated, anticipated participants and locations, and other variables.



When determining how to manage and implement each public participation activity, it is important to consider and document:

- the specific approach to accomplishing each activity;
- who will take responsibility for each of the elements;
- the financial, human and technical resources required;
- how the public input will be compiled, analyzed and considered in the EA;
- when each of the components will be completed; and
- the cost of each component of the plan, where appropriate.

Document your plans

The following tables introduce some of the elements that may be included in your activity plans and provide direction for detailing each element of the activity. The applicability of each element will vary based on the type of activity you selected.



The end of the section provides blank worksheets that may be used for planning the overall strategy, the methodology, the communication requirements and logistics for each activity that you plan.

Consolidate activity plans

Following the completion of the individual activity plans it is valuable to review the plans collectively to verify and more accurately determine your overall time requirements and the human and financial resources needed to execute the public participation plans.

Plan a strategy for each activity

Element	Plan the Strategy for Each Activity
Type of activity	<ul style="list-style-type: none"> Identify activity selected (e.g., open house).
Target audience	<ul style="list-style-type: none"> Identify the interested parties that the activity aims to reach / involve. Be as detailed as possible regarding locations, demographic characteristics, types of organizations, etc. Note specific challenges, such as unfamiliar languages, isolated locations or limited access to technology.
Objective	<ul style="list-style-type: none"> Detail the purpose of the activity. Consider how to use the outcomes of the activity in the overall public participation EA process.
Timing	<ul style="list-style-type: none"> Establish when and for what duration the activity will occur.

Plan a methodology for each activity

Element	Plan the Methodology for Each Activity
Inform target audience	<ul style="list-style-type: none"> Determine how to inform the target audience about the activity and the opportunity to participate. Develop an approach for encouraging participation (e.g., plan advertising, promotion, public notices).
Develop tools and techniques	<ul style="list-style-type: none"> Based on the objectives for the level of public participation (e.g., consultation), explicitly define the techniques that you will use (e.g., an open house) and how it will be carried out. Based on the activity selected, determine what specific tools will be most appropriate for informing the public and collecting public response (e.g., poster boards, information sheets and participant survey). Plan and develop the tools required.
Recording and analyzing public input	<ul style="list-style-type: none"> Establish an approach for receiving and recording public responses. Determine how you will analyze and present public input. Consider how the public input from the activity will fit into the overall EA process.

Plan the communication requirements for each activity

Element	Plan Communication Requirements for Each Activity
Key messages	<ul style="list-style-type: none"> • Determine the messages that you will convey to the public. (For consistency and accuracy, these will be the foundational messages in all communication material.) • Communicate the key messages within the internal organization to ensure consistency.
Technical information	<ul style="list-style-type: none"> • Consider what background and technical information will be required for the public to participate meaningfully in the activity. • Determine how to make the technical information available to the target audience (format, language, etc.).
Communication material	<ul style="list-style-type: none"> • Identify what types of materials and information will be required for the activity. For example: <ul style="list-style-type: none"> ▸ Internet (e.g., public notices on the Registry); ▸ print (e.g., backgrounders, fact sheets); ▸ displays (e.g., poster boards, maps, exhibits); and ▸ audiovisual (e.g., videos, photographs). • Determine how you will distribute the materials.
Media relations	<ul style="list-style-type: none"> • Identify the role the media will play in the public participation activity. • Consider how best to communicate with the media. • Determine communication materials required.

Plan how to monitor and evaluate each activity

Element	Plan How to Monitor and Evaluate Each Activity
Strategy for on-going monitoring and evaluation	<ul style="list-style-type: none"> • Develop an approach for conducting formal and informal evaluation of the public participation activity. • Invite feedback from participants and encourage feedback from staff. • Monitor any issues that indicate ineffective activities or techniques. • Consider the objectives for the activity, level of participation, participant satisfaction, quality of response, milestones and key dates.

Activity Planning Matrices

STRATEGY FOR THE ACTIVITY

Element	Description				
Type of Activity					
Target Audience					
Objective					
Timing					
LOGISTICS					
Requirements	Details	Responsibility	Staff	Timing	Cost
Venue(s)					
Equipment					
Room set-up					
Staffing requirements					
Catering					

METHODOLOGY FOR THE ACTIVITY

Element	Details	Responsibility	Staff	Timing	Cost
Inform Target Audience					
Develop Tools and Techniques					
Recording and Analysis of Public Input					
LOGISTICS					
Requirements	Details	Responsibility	Staff	Timing	Cost
Participant contact information					
Participant communication					
Response collection tools					
Recording					
Facilitators					
Analysis					
Contractors					

COMMUNICATIONS REQUIREMENTS

Element	Details	Responsibility	Staff	Timing	Cost
Key Messages					
Technical Information					
Communication Material					
Media Relations					
LOGISTICS					
	Details	Responsibility	Staff	Timing	Cost
Technical information					
Print material					
Audiovisual					
Internet					
Advertisements					
Media communication					
Media activities					

Part 5. Plan to Adapt and Evaluate the Process

Prepare to adapt the plan and be flexible

Although the purpose of a public participation plan is to set a documented roadmap for the process, the plan should be designed in a way that allows flexibility and allows for change as necessary.

For example, the appropriate level of public participation may change as the process unfolds and new information becomes known. In such cases, the objectives might have to be reassessed, the participants might change over time, or priorities might change. Therefore, the plan should be flexible and adaptable, taking into account information obtained during public participation activities and altering the approaches appropriately.

In all cases, process changes should be discussed and shared with the interested parties involved in the process.



Build flexibility in each activity plan you develop. Options can be developed for each activity without having to modify the public participation process altogether (e.g., an alternate facilitator or location may be all that is required).¹⁸

Plan to evaluate the process¹⁹

Evaluation is a way to learn from experience. Your public participation process can be evaluated continually by monitoring the activities throughout the process and after the process has concluded.

In the planning stages of the process, you should:

- determine the aspects of the public participation process that will be evaluated;
- establish performance indicators for evaluating the success of the process;
- determine the information that is required to evaluate the activities and process; and
- determine how the performance will be measured.

To ensure that your process is credible, it is important to involve the interested parties in the development of evaluation criteria and ensure that they have ongoing opportunities to provide feedback and participate in the evaluation of the public participation process itself. The evaluation should be measured back against your initial objectives.

¹⁸ DFO. 2004. *Consultation Toolbox*.

¹⁹ Parks Canada. 2006. *A Handbook for Parks Canada Employees*, p. 31.

Questions to consider



Examples of questions to consider when planning to monitor and evaluate:

- Have we included an evaluation component to assess the ongoing activities and results of the process?
 - Have we established sound performance indicators for each activity and the overall process?
 - Are we prepared to document the results of these performance indicators on an ongoing basis?
 - Is our evaluation method consistent with our public participation process?
 - Can our process be adapted easily if new information arises?
-

Chapter 5. Implementing Public Participation

Chapter Overview

Purpose of Chapter 5 This chapter assists in the practical implementation of the activities in your public participation plan, using the key elements of meaningful public participation.

Contents This chapter contains the following main parts.

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Intended audience This chapter is intended for anyone who would like practical approaches for implementing public participation activities in an environmental assessment (EA) process. This may include federal authorities or any other parties, such as proponents or consultants, who have been delegated the responsibility to ensure that meaningful opportunities for public participation are provided.

Note: In this chapter the term “you” addresses any individual or group responsible for aspects of implementing a public participation plan, regardless of whether the individual or group is a responsible authority.

Focus

This chapter should be read once you have prepared a public participation plan, as described in Chapter 4.

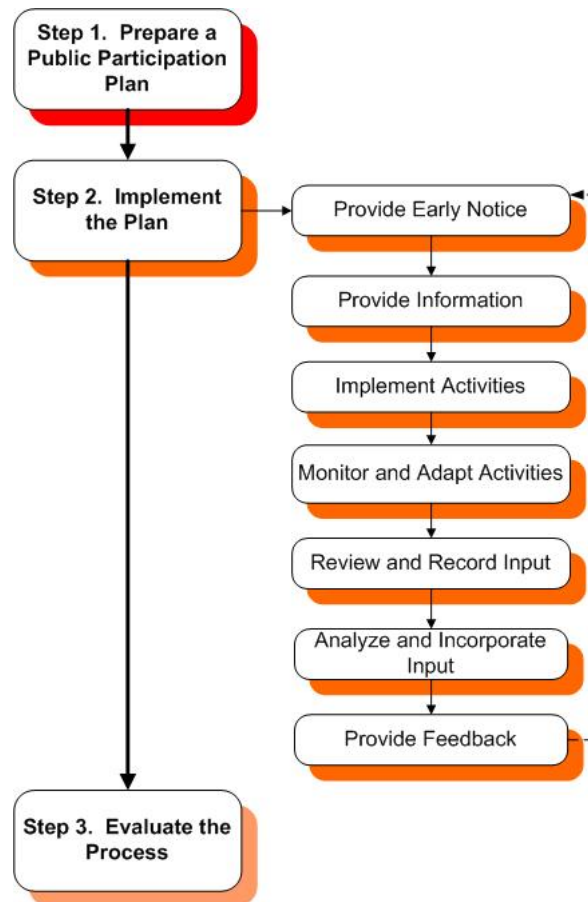
Although this chapter presents the information in the context of screenings, the approaches and tools suggested may be applied to any scale of EA if appropriate in the circumstances of the project. Depending on the circumstances of your EA, you may find that certain activities described in this chapter are not necessary for your situation.

Part 1. Implement Meaningful Public Participation Activities

Implementing the public participation plan

Once the public participation plan has been developed, there is a shift from planning to carrying out the public participation. The success of this stage largely depends on the thoroughness of the planning, the management of the activities and the skills of the project team.

Using the public participation framework introduced in Chapter 4, you are now in Step 2.



Implementation is not a one-time event. Public participation activities may be numerous and may occur at many phases during the EA process. The tasks in this chapter may be repeated for each public participation activity you have planned.

While the elements of the planning and implementation are presented in a linear framework, the process is iterative with each task informing and potentially affecting the others. As with other aspects of the public participation plan, it is essential that the implementation of each activity is flexible and that you adapt your plan as new information or issues arise.

Ensure meaningful public participation

When providing opportunities for public participation, you should ensure that the opportunities for public participation are meaningful.

This goal is established in section 6 of the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act* (http://www.ceaa-acee.gc.ca/013/006/ministerial_guideline_e.htm), which states: “*The public should have an opportunity to have a say in decisions that affect their lives through a meaningful public participation process.*”

Key elements of meaningful public participation

The Ministerial Guideline identifies and describes eight key elements of meaningful public participation and states that public participation should exhibit **all** of the elements to be meaningful. The key elements are:

- early notification
- accessible information
- shared knowledge
- sensitivity to community values
- reasonable timing
- appropriate levels of participation
- adaptive processes
- transparent results.

You should integrate these elements into the preparation and implementation of every public participation activity. The following sections of this chapter provide guidance on the key elements and how to incorporate them into your activities.

1.1 Provide Early Notification

Notify the public early

Public participation can result in more effective outcomes when people are notified, well informed and can have input early in the process. To enable this, there is a requirement under the Act to use two types of public notices to inform the public early in the EA process. These are the notice of EA commencement and notice of the opportunity for public participation.



Remember... a key element of meaningful public participation is “early notification” and the Ministerial Guideline states:
“Where notification is to be given, it needs to be done early enough to allow the public to have the opportunity to influence the planning of a project and its environmental assessment process before any irrevocable decisions are made.”

Notice of EA commencement

The first notification requirement is the posting of the mandatory notice of commencement on the Canadian Environmental Assessment Registry Internet site. The notice of commencement provides general information about the project location and scope, type of EA, federal authorities, other jurisdictions likely to be involved, and a contact for more information.

A responsible authority must post this notice on the Registry Internet site as early as possible and no more than 14 days after the start of the EA. Early posting of the notice of commencement is important as it signals the start of the EA process.

The preliminary information in the notice can help the public determine if:

- they may be affected by or interested in the project or the EA process; or
- they need more information before making that determination.



Under section 20(4) of the Act, the notice of commencement must be on the Internet site a minimum of 14 days before the responsible authority makes its EA decision (i.e., determines its course of action).

This 14-day period provides time for the public to request any records on the Registry and to provide an indication of public interest in the screening.

Notice of the opportunity for public participation

Another important requirement under the Act is to provide early and adequate notice of each opportunity for the public to participate in the EA process.

These notices should occur in advance of each public participation activity. Posting and distributing such notices should allow reasonable timing for interested parties to determine whether they wish to participate, review relevant information, make informed opinions and decisions, and prepare to participate in a meaningful way.

These notices must be posted on the Registry Internet site and, in most cases, you will want to use additional means to ensure that you reach all interested parties. For example, a mixture of print advertising, radio announcements and news releases may be appropriate in addition to the Registry Internet site.

Notification methods

You may choose to provide information about the proposed activities using a combination of the following:

- ✓ Web sites (e.g., notices on the Registry and project Internet sites);
 - ✓ print advertising in community newspapers;
 - ✓ community postings;
 - ✓ radio announcements on local radio stations;
 - ✓ news releases;
 - ✓ backgrounders, fact sheets, brochures or pamphlets;
 - ✓ information (educational) packages;
 - ✓ media advisories;
 - ✓ face-to-face meetings with, or presentations to, elected leaders or designated representatives; and
 - ✓ any other means that sufficiently informs interested parties about the proposed project and their possible involvement in the EA process.
-

Encourage early participation

Early public input can lead to better-informed EA planning, scoping and analysis; therefore, the public should be encouraged to participate as early as possible in the EA process.

Likewise, you may seek public input before detailed plans and scoping are complete, rather than at the end when the screening analysis and report are finalized. For example, notifying the public and providing opportunity to participate in the scoping of an EA can help to identify valued ecosystem components (VECs) and existing public concerns. This information can contribute to a more complete analysis of environmental effects.

What can you do?



To provide early notification:

- ensure that the notice of commencement is available on the Registry Internet site as early as possible;
 - give timely and adequate notice of the opportunity for public participation and ensure that these notices are posted on the Registry Internet site;
 - use means, in addition to the Registry, to inform the public about the project and the opportunities to participate in the process; and
 - avoid making decisions before providing adequate notice, providing opportunities for participation, and receiving and considering public input.
-

1.2 Ensure Accessible Information

Meaningful information

In the planning stage, you should have provided preliminary information about the project to the interested parties in order for them to determine if and how they may wish to participate in the EA process.

During the implementation of activities, you should provide additional information to ensure that the interested parties have the information they need to participate effectively.



Remember... a key element of meaningful public participation is “accessible information” and the Ministerial Guideline states:

“The responsible authority should ensure that all participants are provided with the information they need to participate effectively on a timely basis. Consideration should be given to the appropriate language for this information and the need to use culturally sensitive means of communication. Access to information should only be limited in accordance with the laws relating to access to information and privacy.”

Provide adequate and relevant information

The information available to interested parties should be relevant to the EA process, be balanced, objective and have an adequate level of detail so they are in a position to understand and respond to the issues at hand. For example, interested parties should be able to understand the project and the EA process, make educated decisions about how to participate in the process and provide informed input.

Without adequate information, feedback and suggestions may not be well informed and the public participation process may not lead to informed decision making.

It may be appropriate to provide information, such as:

- ✓ contact information (i.e., to whom the interested parties should provide input and/or request further information);
- ✓ a non-technical, plain language description of the proposed project;
- ✓ maps that clearly illustrate the location of the proposed project in relation to easily identifiable and/or commonly known landmarks;
- ✓ enlarged aerial photos;
- ✓ a description of potential environmental effects, if available; and
- ✓ details about the individual public participation activities, including the schedule of events.



Remember... access to information alone does not constitute public participation under the Act, but it is an essential component of a meaningful public participation process.

Provide timely information

Information regarding the proposed project and the EA process should be provided in a timely manner in order for interested parties to participate effectively. For example, relevant information should be distributed or easily accessible at the time of any public notice, where possible. Then, as additional information becomes available throughout the EA, you should provide complete and current information regarding the subject that is the focus of the specific public participation activity.

Information should be available sufficiently far in advance so the interested parties have enough time to review the material, seek input from the people they represent, and respond in a meaningful and timely way.

Provide accessible information

A proactive method to share information is to distribute relevant information to interested parties and ensure that adequate quantities are available at easily accessible venues, such as schools, local libraries and town halls. Another proactive method is holding education or awareness sessions. The appropriate people (e.g., decision makers and proponents) should participate in these sessions to provide clarification and answer questions.

As a minimum, all records produced, collected or submitted with respect to the EA of the project must be included in the Registry project file and provided on request unless the records are exempt under the *Access to Information Act*.

To help the public more efficiently identify and request records available in the project file, create an up-to-date list of the records that may be of particular assistance, but indicate that additional records are also accessible. You should update and maintain the records list over the course of the EA and make it available electronically on the Registry Internet site and in hardcopy format at other appropriate locations.

Use appropriate language(s)

Providing information in the languages of interested parties will help to facilitate their understanding of the project and resolution of any issues brought forward during the public participation activities. It may even encourage members of the public to become involved in the process.

In some cases, it may be appropriate to communicate, either verbally or in writing, in the language of a local community. If such languages are unfamiliar to you, it may be beneficial to use translators and interpreters who have mastered local languages, preferably from the local community.

As a minimum, remember that any record produced for communicating with the public must be available in both official languages if it is issued by an office having responsibilities to communicate with the public in both official languages.



Part 1 of the *Guide to the Canadian Environmental Assessment Registry* (www.ceaa.gc.ca/012/012/part1_e.htm) provides additional information about the requirements for official languages and access to information.

Use appropriate means of communication

When you planned your public participation activities, you likely identified the preferred methods of communication used by the interested parties that you hope to engage. When implementing these methods of communication, be sensitive to the customs and lifestyles of the interested parties you wish to reach. Using culturally sensitive means of communication can influence whether they participate in activities, how well information is disseminated and understood, whether it is well received, and whether your public participation activities successfully meet their objectives.

For example, it may be helpful to provide concise document summaries and visual aids, such as maps, rather than bulky technical documents that may not be read or easily understood by people who are not experts in that subject matter. Ensure that the summaries enable a reader to understand the technical issues enough to develop an informed opinion, but also indicate where they can obtain additional information.

Likewise, provide the information using appropriate techniques. As an example, the Internet may seem to offer easy access to information, but it may not actually be effective if Internet access or use is not common in the communities you wish to involve. In such cases, relying on the Internet for posting public notices and documents for public comment may not be adequate to provide interested parties with the information they need to participate effectively.

What can you do?



To ensure that participants have the information they need on a timely basis:

- provide information in a timely manner and well in advance of any major decisions or public participation activities;
 - give the public adequate and relevant information to form an educated opinion on all the issues, including technical ones, as early as possible;
 - provide information in appropriate languages for the recipient community, including both official languages in accordance with the *Official Languages Act*, where required;
 - find out if there are common means of distributing information in the community (e.g., through a local television or radio station, a local newspaper or community leaders);
 - seek existing community groups or representatives to help disseminate information, or encourage the formation or use of a citizen's advisory group to assist with that;
 - provide information in a suitable format and ensure that it is delivered or written in a clear manner; and
 - ensure that access to information is only limited in accordance with the *Access to Information Act* and the *Privacy Act*.
-

1.3 Implement the Public Participation Activity

When do you implement the activities?

Once you have provided adequate public notice and meaningful information, and you have met the Registry requirements, you may proceed to implement your public participation activity.

The timing of the each activity will depend on your public participation plan. For each activity, remember that participation should be initiated as early as possible to provide the interested parties with a fair and reasonable amount of time to evaluate the information presented and to respond in time for their input to help shape the EA or the EA decision.



Before implementing any formal public participation activities, you should make a public commitment to providing meaningful opportunities for participation and considering the public input you receive.

You can then start to meet this commitment by implementing the activities very early in the screening process. You can also contribute to the commitment by letting people know who is responsible for decisions, what the decision-making process is, and the importance and level of their role.

How do you implement the activities?

You should use the individual activity plans to direct the implementation of each public participation activity. The individual plans should clearly detail aspects, such as the techniques to be used, key messages, materials required, logistics, roles and responsibilities and mechanisms to record and respond to input received.

Depending on the type of activity and whether you have a facilitator or expert to lead the activity, you may be required to play the roles of both *manager* and *facilitator* for the public participation activity.

- Managing the public participation process requires supervising details, dealing with unexpected situations and modifying the process as required.
- Facilitation is the process of helping participants articulate their opinions and encouraging the exchange of ideas.

Remember to use a team approach when implementing the activities. For instance, you may rely on communications personnel for their expertise and turn to senior management for decisions to address significant concerns.

In some cases, you may coordinate implementation of the activities with members of the interested parties, for example, through community leadership or an advisory group.

Manage expectations

A poorly planned or communicated public participation activity can set incorrect expectations. For example, participants may expect that they will have an opportunity to voice all their opinions and that project plans will be terminated or changed very quickly as a result. If they are not, the participants can become frustrated and lose trust in the government, the proponent or the EA process. Failure to meet expectations can have serious consequences that could derail the EA process.

To minimize unfulfilled expectations, remember to be clear about:

- ✓ the objectives of the public participation activity;
 - ✓ the issues that will be addressed by the public participation activity (and what issues cannot be dealt with through the EA process);
 - ✓ how the public input or information will be used;
 - ✓ who will make the decisions;
 - ✓ which decisions can be influenced by the input received; and
 - ✓ any constraints under which you may be operating.
-

Provide adequate time

You will need to consider the time frames needed for the interested parties to obtain and adequately review background information before comment periods or other critical public participation events. For example, allow sufficient time for them to obtain and review relevant information before a scheduled meeting.

Likewise, give interested parties an appropriate time to provide feedback on any documents distributed for review and comment (e.g., the environmental impact statement (EIS) guidelines or the EA report). When doing so, allow time for organizations or communities to distribute information to their members and to compile joint comments.

Public participation processes need not be open-ended and should not be allowed to drag on endlessly. Activities can have set deadlines for responses from the parties being consulted; however, these deadlines must be reasonable and should provide ample time for a proper response to be formulated. Deadlines should be enforced flexibly, and reasonable requests for extensions should be granted where possible.



Remember... a key element of meaningful public participation is “reasonable timing” and the Ministerial Guideline states:

“A public participation process should provide the public with a fair and reasonable amount of time to evaluate the information presented and to respond to project proposals and to proposed decisions by proponents and responsible authorities.”

***Consider
community
capacity and
other demands***

Members of the public often have many demands on their time and many may not be available to respond within your suggested time lines, even if they are willing and interested.

When implementing your public participation activities, consider whether there are any factors that will affect the capacity or time needed by interested parties to participate in activities or review and respond to information. For example, when providing opportunities in a remote community, consider whether inclement weather may affect whether people are able to obtain information, attend public events or deliver responses.

Similarly, schedule events around community calendars whenever possible, because these may dictate what times of the year the interested parties will be able to participate effectively. In some cases where communities are reliant on seasonal activities, such as lobster fishing or potato harvesting, there may be periods where interested parties simply cannot afford to participate despite a high level of interest and expertise. Try to accommodate these situations if possible.

Likewise, interested parties may have financial and human resource constraints that limit the time they can allot to responding to information. For example, not all public interest groups that rely on volunteers will be able to put time aside to prepare for your meetings, and they may not have the financial resources to participate in a long or complex process.



Many public groups do not have permanent staff or offices and may not have the resources to respond immediately to mail or phone calls. For example, often a mailing will wait somewhere to be picked up by the right person, so contact and response may not be as immediate as desired.

Where possible, give your contacts prior notice that their input may be requested and be flexible with your response deadlines.

Collect both technical input and traditional knowledge

It is important to collect, consider and incorporate technical, scientific, community and Aboriginal traditional knowledge in your EA. To do so, you should encourage interested parties to provide a variety of types of relevant information and viewpoints for use in the EA, and commit to considering all types of relevant information in the EA analysis.

Having multiple sources of knowledge may help to address gaps in information and verify information from single sources. A diversity of expertise and sources of information can lead to better scoping, identification of environmental effects, identification of alternatives and effective mitigation.

For example, traditional knowledge about ecological systems, changes in those systems over time and indicators of stress in sensitive ecosystems, may be essential to complement scientific observations. Likewise, involving Aboriginal people in the scoping of the EA could help to identify a local area used for the harvest of medicinal plants. Without the opportunity to exchange that undocumented knowledge, the valued area may not be identified for consideration in the EA.



Remember... a key element of meaningful public participation is “shared knowledge” and the Ministerial Guideline states: “A project should be developed on the basis of both technical and scientific knowledge and community and Aboriginal traditional knowledge.... Any rights flowing from the ownership of information that participants may have need to be respected.”

Respect intellectual property

Traditional knowledge is the intellectual property of those who hold the information. Regardless of whether the knowledge is technical or traditional, you must respect the ownership of information. For example, use the information only with permission and properly reference it.

In many cases, communities may seek protection for their traditional knowledge before providing it for an EA. If a knowledge holder requests confidentiality, you are encouraged to seek advice from your legal counsel to determine if the information can be protected under the access to information legislation and discuss this with the knowledge provider. The provisions of Canada’s *Access to Information Act* and the legal requirements of other involved jurisdictions (e.g., provincial access to information legislation) may restrict your ability to protect the knowledge.

If knowledge cannot be protected, parties may be selective in the information they share. For example, they may decide to share only their recommendations or information that would explain the potential effects of the project, rather than releasing raw data or sensitive information identifying

specific places, such as sacred sites, medicinal plant harvesting areas or important fishing or hunting grounds.

***Respect
different values
and needs***

Public participation processes need to be carried out in a manner that respects different values and needs. Not only will the interested parties be different for each project, but within a process they will also have different history, cultures, perspectives, values, approaches and interests.

When implementing your activities, consider the variety of values and try to accommodate the cultures, customs and needs of the interested parties.

In addition, be aware that different peoples in the same region or community may have different values or perspectives. For instance, within a community, some people might be opposed to development, because they want things to remain as traditional as possible, while others may welcome development that brings economic benefits, such as business contracts, training, tax revenues and employment.

The best way to identify values and needs is through contact with, and input from, the representatives of local groups; they have the best understanding of the unique customs and interests of the people they represent.



Remember... a key element of meaningful public participation is “sensitivity to community values” and the Ministerial Guideline states:
“Public participation processes need to be carried out in a manner that respects different community values and needs.”

***Share
knowledge in an
open, respectful
and timely
manner***

Public participation can provide a forum for the expression, discussion, analysis and evaluation of knowledge, concerns, values and viewpoints; however, for the forum to be effective, understanding, trust and respect must be established among all the participants.

If interested parties are to contribute positively to the process, they must feel that their views are heard and respected and that you are committed to working cooperatively and impartially with them. For your process to be successful, you should acknowledge different opinions, perceptions and perspectives fairly, and foster common understandings.



Remember... a key element of meaningful public participation is “shared knowledge” and the Ministerial Guideline states:
“Knowledge, concerns, values and viewpoints should be shared in an open, respectful and timely manner. This includes information on the potential consequences of a project.”

***Follow through
with
commitments***

It is important to follow through with any commitments that you have made to participants during public participation activities. For example, you should be prepared to provide additional information or respond to inquiries should participants need something that you had not anticipated.

Following through shows respect for the participants and can help to build better relationships and credibility with the public.

**Acknowledge
input from
participants**

Every time somebody participates, it is important to acknowledge their input and let them know what you are going to do with their ideas and information. For example, this can be done verbally and with active listening at a public meeting, or in a formal letter in response to a submission of written comments.

**Document the
activity details**

It is important to document, or otherwise record, the activity you are using to solicit input from interested parties. This should be done in accordance with your public participation plan.

At minimum, documentation should include:

- ✓ a list of the interested parties who were provided with project-specific information;
 - ✓ copies of the information provided to the parties;
 - ✓ how and when information was provided to the parties, including whether a translator was employed;
 - ✓ all dates and locations of events or techniques used for the participation activity;
 - ✓ names of individuals and groups contacted;
 - ✓ lists of attendees at all meetings and events;
 - ✓ a record of communication, such as written records of phone conversations and minutes of meetings, etc.;
 - ✓ records-of-decisions, action items or agreements; and
 - ✓ a summary of public participation activities and outcomes.
-

Questions to consider



When implanting public participation activities, consider the following questions.

- Do participants understand and agree to their role in the activity?
- Do the participants understand what we are saying to them? (Are translators or interpreters required?)
- Do we understand what the participants are saying to us?
- Are we using “government talk”?
- Do we know how concerns raised will be addressed?
- Have we acknowledged the input received from the interested parties (e.g., sent letters to acknowledge participation or receipt of comments)?
- Have we kept accurate records of contacts, meetings, correspondence, discussions, list of participants, etc.?

Tips for...

The following are tips for incorporating some of the key elements of meaningful public participation.

Element	Tip
<i>Respecting community values and needs</i>	<ul style="list-style-type: none"> ✓ Work closely with the interested parties to develop research methodologies that respect the cultural identity of the community. ✓ Consider the geography, cultural composition, history, economic base and demographics of the community. ✓ Recognize that different interested parties may have different customs, values, needs and perspectives. ✓ Communicate with a variety of groups and individuals to ensure that you have obtained a variety of perspectives on issues and values. ✓ Try to understand the advantages and disadvantages that the project may bring to certain groups, from their viewpoint. ✓ Recognize the community’s sense of ownership (e.g., for natural resources or heritage sites). ✓ Identify and learn from past projects that may have affected the community. ✓ Communicate with local governments and leaders who may have a good understanding of public opinion, such as municipal politicians and spiritual leaders.
<i>Providing fair and reasonable timelines</i>	<ul style="list-style-type: none"> ✓ Ascertain the likely availability of interested parties before scheduling events. ✓ Be responsive and flexible to local community calendars (e.g., be

	<p>considerate of absences during short northern summers, religious holidays and festivals or community events).</p> <ul style="list-style-type: none"> ✓ Allow for adequate review and comment periods during your public participation activities. ✓ Rotate the location and times of meetings so no individuals are repeatedly disadvantaged with onerous travel or costs. ✓ Investigate policies and opportunities for participant funding (e.g., from proponents) to ensure adequate participation. ✓ Provide concise summaries of technical documents and suggest what records might be most relevant for review. ✓ Meet with participants and organizations to clarify information and document specific questions and suggestions.
<i>Soliciting input</i>	<ul style="list-style-type: none"> ✓ Ensure the community clearly understands what type of information is required and at what stage in the process the information is critical. ✓ Do not solely engage the community leaders and key “informants” at the expense of other members of the public. ✓ Gather and use different types of information from a variety of sources. ✓ Provide opportunities for information transfer and encourage an open, respectful exchange of ideas, concerns, knowledge and values.
<i>Collecting and sharing knowledge¹</i>	<ul style="list-style-type: none"> ✓ Verify that your requests for information acknowledge and respect traditional knowledge. ✓ Gather and use different types of information from a variety of sources. ✓ Properly document and reference all sources of information. ✓ Establish contacts early so people who are experts can be identified and liaisons established. ✓ Before collecting or using traditional knowledge, seek consent from the knowledge holder. ✓ Ensure that all research plans have met with the approval of the appropriate parties in the community. ✓ When a knowledge holder requests confidentiality, determine if the information can be protected. ✓ Use field data that have been collected and analyzed by or with members of the community. ✓ Be aware that different types of knowledge are held by different segments of the population depending on age, gender and lifestyle. ✓ Ensure that any knowledge collected also stays in the community so the

	<p>community can also benefit from the research.</p> <ul style="list-style-type: none">✓ Once a liaison with those who possess knowledge has been established, it should be sustained through continuous mutual consultations.✓ Researchers should abide by the ethical research guidelines set out by the respective communities.✓ Ensure that all research respects the privacy, dignity, cultures and traditions of the interested parties.
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¹ Canadian Environmental Assessment Agency. 2004. *Considering Aboriginal Traditional Knowledge*.

1.4 Monitor and Adapt the Activity

Monitor the public participation activities

As with other aspects of the public participation plan, it is essential that the implementation of activities be flexible and that you monitor each activity and adapt your plan as new information or issues arise.

Ongoing monitoring during implementation will help you make sure the activities meet your overall objectives. Monitoring participation and feedback will help verify whether the activities and techniques you choose are effective in involving the public, obtaining public input and meeting public expectations.

For example, as activities related to a proposed project become more visible, public interest can increase dramatically. Likewise, if public issues and concerns are addressed in the process, public interest can decrease. Monitoring the activities will help you anticipate or identify these changes in the level of interest, allowing you to adapt your plan accordingly.

When to monitor

In the planning stage, you should have identified review points for evaluating the effectiveness of your public participation activities. These review points should occur regularly throughout the process, and especially after each main public participation activity. By following your review points, the process of revising the plan becomes a scheduled activity, rather than something that occurs arbitrarily.

If you have added these review points to your plan, interested parties who might want changes made to the plan will be aware of the scheduling of the review and will be able to provide timely feedback.

How to monitor

To gather input for monitoring, you should consider providing formal means for interested parties to let you know if public participation activities are, or are not, working. Examples include use of a contact person, suggestion boxes, hotlines or surveys. With these in place, participants can provide valuable information about the process or unanticipated issues and concerns.

Less formal activities include periodic communication with interested parties. This can help you anticipate changes in the attitudes or interests of the parties, giving you a warning signal that you may need to modify your public participation plan.

You may also use more passive means to identify whether an activity is going as expected (e.g., observations about levels of participation); however, this

may not be adequate to identify why an activity is, or is not, successful.

Examples of techniques

The table below provides a list of potential evaluation techniques that you might find useful.

Technique	Description
Informal feedback	Talk to interested parties on a routine basis during and after the public participation activities to ask how they perceive the plan and its outcomes. Document the conversation or relevant points.
Interviews	Similar to informal feedback, more formal settings are sometimes appropriate when you need to gather a lot of feedback.
Questionnaires	Short, to-the-point questionnaires can be used periodically or at the end of events to get a sense of immediate reactions.
Peer evaluations	Ask practitioners who are not involved in the project to attend a meeting or review materials to provide feedback.
Debriefs	Always pull the full team together following a public participation activity to create a shared learning environment; agree to adjustments and needed changes for future activities.
Formal surveys	If you need statistically valid information, consider using a formal survey that could be mailed or done by telephone or e-mail. To ensure that the survey will be statistically valid, consider bringing in trained professionals to develop and implement it. Be sure to include contact information where completed surveys can be sent.

Indicators that the process is working



The following are indicators that a public participation process is working:

- interested parties are not raising concerns about a lack of information;
- your team's contact person is handling inquiries in a timely manner;
- large amounts of time are not devoted to correcting breakdowns in information sharing between the interested parties, the proponent or the government bodies involved;
- the channels of communication are well-defined and open;
- interested parties are providing informed comments for the EA; and
- interested parties are bringing their concerns to you, rather than taking them directly to the press or elected officials.

Determine if the process is not working

If there are indications that the process is not working, the best way to find out what is going wrong is to talk to the interested parties. Ask them what is working, what is not working and where improvements are needed.

If the activities are not meeting your objectives or interested parties are dissatisfied, it may be because the:

- × public participation activities or techniques are not appropriate to meet the needs of participants or the issue under consideration;
- × activities may not be reaching the right target audiences;
- × interested parties do not have adequate access to information;
- × interested parties need more detailed information;
- × interested parties do not understand the information, (e.g., because it is too complex or is not in their primary language);
- × interested parties do not have sufficient time or resources to respond;
- × interested parties feel uncomfortable about responding or are reluctant to respond because of adversarial feelings; or
- × potentially interested parties have other reasons for not participating.



Appendix 5A provides a list of reasons for a lack of participation and suggestions for addressing them.

Adapt if the plan is not working

If you know that your plan is not meeting its objectives and you know where the breakdowns may be occurring, you should modify your public participation activities based on the suggestions from the interested parties.

In most cases, ongoing monitoring and evaluation of the effectiveness of each activity will help you identify what changes may be required.



Remember... a key element of meaningful public participation is “adaptive processes” and the Ministerial Guideline states:
“Public participation processes should be designed, implemented and revised as necessary to match the needs and circumstances of the project and to reflect the needs and expressed preferences of participants. This process may be iterative and dynamic in keeping with the reasonable expectations of participants.”

What can you do?



To ensure that your public participation plan is flexible and adaptive:

- encourage interested parties to submit comments throughout the process and especially during formal comment periods;
- conduct follow-up interviews at a key point, or points, in the EA to predict shifts in public interest or concern;
- monitor and evaluate the effectiveness of the public participation plan (e.g., techniques, communication materials, response mechanisms) regularly during the process; and
- modify the type, scale or method(s) of public participation activities as required, based on the feedback received.

Provide feedback

Throughout the process, keep the interested parties informed about the progress of the public participation plan and any changes that are proposed.

In larger plans, a more formal update process (e.g., newsletter, e-mail lists) may be useful.

Worksheet

A detailed worksheet for use in evaluating your public participation activities is provided on the following page.

Worksheet for Evaluating Activities

Measure effectiveness of your activities

Adapted with permission from a worksheet developed by the International Association for Public Participation (© 2006 International Association for Public Participation, www.iap2.org), the following worksheet can be used to consider and document how well an activity met the intended objectives.

Rank on a scale of 1 to 5, in which 1 = Perfectly and 5 = Not well.

Element	Planned	Actual
Description of Activity		
Targeted Interested Parties		
Objectives		
Number of People Reached		
Timing		
Budget and Staffing		

1.5 Review and Record the Input

Confirm understanding of the input received

Meaningful public participation requires that you clearly understand the views of the participants and the input you received.

This may require clarifying the input with the participant(s) to verify what they said and confirm that you have correctly understood the information they wanted to convey. It is important to ensure that the information has not been misquoted or misinterpreted, and that what you recorded is an accurate reflection of what they said or intended to communicate to you.

This confirmation process is particularly important when you receive information in the form of stories or anecdotes, or if the information has been transferred through interpreters or translators. In some cases, it might be necessary for specialists, such as subject matter experts or translators, to help you interpret and verify input from various sources.



Traditional knowledge is often told through stories where the point or the moral of the story is not immediately evident. This can be disconcerting or confusing for non-Aboriginal peoples. To capture this input, it is important to spend time to interpret and understand the message clearly before recording or assessing it.

Record the public input

As you receive and verify input from the participants, document or otherwise record the information in an accessible format.

The information collected can be organized in many ways, but should always be dated. The source of information and the method of obtaining the input should always be identified.



Under the *Canadian Environmental Assessment Act*, all records produced, collected or submitted with respect to an EA must be included in the Canadian Environmental Assessment Registry project file.

This specifically includes any comments filed by the public in relation to the EA. These comments may be in a variety of formats, such as survey responses, e-mails or videos, recordings or transcripts from public meetings. In other words, records are not just written submissions.

Tips



- ✓ Properly reference all sources of information.
- ✓ Give the interested parties an opportunity to validate how their input or traditional knowledge has been interpreted and recorded.
- ✓ Document what is suggested by each knowledge system (e.g., technical and traditional knowledge).

Worksheet

The following worksheet can be used to record and organize comments received during public participation activities. The worksheet can be referred to later to track how each comment has been addressed in the EA process.

Worksheet for Recording Input

Project: _____
Date: _____

Public participation activity: _____
Subject: _____

Commenter	Topic / Section	Comment	How Addressed	Feedback Provided

1.6 Analyze and Incorporate the Input

Validate information received

In cases where technical information has been received, it is prudent to verify the accuracy of the information for the purpose of the EA analysis. For example, if there are questions about the validity of numerical information, you should review and verify the information against other information sources. This may be appropriate in circumstances where anecdotal quantitative or technical information has been provided.

You should document the results of these reviews and include them in the project file. You may then incorporate any verified information or knowledge obtained from the public into the EA analysis and report, as appropriate.

Analyze the input received

Once you have verified the information from participants, it should be compiled and organized for consideration in the EA.

Examination of the feedback is required to understand how to evaluate the information collected and use it for decision making. An analysis of the input gathered can be used to determine aspects such as:

- the extent of concerns about the project and the extent to which views vary;
 - if the input can improve the quality of the environmental assessment;
 - if public concerns can be addressed through the EA process or should be addressed through another forum; and
 - how the views, information and recommendations should influence the EA analysis or decision.
-

Methods to analyze the input received

The approach for the review of public input will vary significantly depending on factors, such as the public participation activity used, the type of input received and the volume of responses.

The following table provides examples of methods you can use to analyze the information received.

Information Type	Description
Quantitative data	<p>Quantitative data collected during public participation activities (e.g., closed survey questions, participant counts, and demographic characteristics) will provide results that can be measured or expressed numerically.</p> <p>Manual organization and interpretation of quantitative data are possible, particularly if requirements for analysis are straightforward and the volume of responses is low.</p> <p>In circumstances where response rates are high or the input is complex and more in-depth analysis is required, technology-based research methodologies for data collection and analysis are beneficial (e.g., relational databases, statistical software packages or scan-readable surveys).</p>
Qualitative data	<p>Qualitative research techniques in public participation plans (e.g., open-ended survey questions, interview notes and field notes) tend to yield a significant amount of textual output.</p> <p>Typically, the organization and analysis of qualitative responses are undertaken manually; however, similar to quantitative data, when the volume of responses is significant, it is useful to apply technology-based methodologies to organize information and facilitate analysis. Databases provide a consistent format for textual responses and a systematic means of organizing output.</p> <p>Qualitative data analysis software can be an efficient data management and analysis tool for code-based inquiry, searching text units and reporting.</p>

Remember your public commitments

How you intended to use the public's input was established in the planning stage and made known to the public up front. You now have an obligation to meet those commitments when considering the public input you have received.

Considering public input in the EA is essential to making the public participation meaningful. If public contributions will not influence aspects, such as the scoping, analysis or recommendations for the EA decision, there is little reason to carry through with the public participation activity.



If you identify any constraints that affect how public input may be considered, you should communicate these limitations to the interested parties to ensure they have a mutual understanding of your intentions regarding the use of their input.

It is important that you do not mislead participants and you are clear about what is feasible, particularly if changes occur during the EA process.

1.7 Provide Feedback

When should feedback be provided?

Throughout the EA, and particularly at the conclusion of each public participation activity, you should provide feedback to interested parties to demonstrate whether and how their comments were considered after each major public participation activity and at key decision points.

Reporting back to participants might be required at different stages of the process, as well as at the end of the entire public participation process. As reporting back can take many forms, it should be determined early in the process how, when and to whom feedback will be presented, and in which forms.

What feedback should be provided?

You should clearly explain and document how the comments you received were taken into account and why the comments did or did not influence the EA process. This information should be included in the project file and may be included in the EA report itself.

As a minimum, throughout the process you should report back to interested parties on the status of the public participation activities and the outcomes to date. It is useful to summarize the comments, opinions and information received so participants and decision makers can understand themes raised, gauge trends and strengths of opinions, and know who participated. This documentation can then form the basis for reporting back to participants.

How should feedback be provided?

The approach to providing feedback will vary depending on the individual public participation plan.

Commonly, after considering the input from each public participation activity, a summary report will be prepared. This report should summarize the steps that were taken in the public participation process, a description of the information received from interested parties, how that information was considered and the rationale for the approach used.

The interested parties should receive a draft of this report for review before a final version is adopted. Once finalized, the report should be distributed to all participants and also be made publicly accessible for other interested parties.



As a minimum, you should document and make available the results of the public participation opportunities, including:

- ✓ how participants were identified;
 - ✓ what information was disseminated;
 - ✓ how input from the participants was received;
 - ✓ how the input was analyzed;
 - ✓ the main comments and issues;
 - ✓ any responses that have addressed interested parties' concerns;
 - ✓ an indication of what has and has not been incorporated into the EA, with an explanation of why comments did or did not influence the EA;
 - ✓ a briefing on the implications stemming from outstanding issues; and
 - ✓ recommendations based on the public participation process and analysis of the input.
-

Appendix 5A. Addressing Lack of Participation

Overcoming lack of participation

It is important to be aware that there are several reasons why people may not participate in public participation activities.

Many of these challenges can be addressed through early informal contact with interested parties, transparent communication, provision of adequate information about the project and the EA process, and effective listening to the concerns of the potentially interested parties. Thus, it is important to consider all of these factors when planning and implementing your activities.

The following table explains some common reasons for a lack of participation. Possible solutions are outlined on the following page.

Reason	Explanation
Public overload (consultation fatigue)	The growing trend for public participation can overload the public and hinder its ability to respond effectively. Some interested parties may choose their involvement carefully because of competing demands on their time and resources; others may simply withdraw. This is especially true when various public participation processes for different projects compete for the attention of the same organizations.
People feel adequately represented by someone else	Leaders of highly visible interest groups often serve as spokespersons for interested parties who feel they are represented by the activities of the visible group. Many people belong to a group, but do little more than pay dues so the group will represent their interests. In other cases, people may not pay dues or join a group, but are reassured by knowing that such a group is active.
People don't believe the impact justifies participation	Everyone makes choices and sets priorities regarding the activities in which they participate. Generally, people involve themselves in the issues they believe have a significant impact on their lives. If they do not believe the impact is significant, they may not become involved.
People are unaware they are affected by a decision	If people are not aware of the proposed project or the potential impact, they may not participate, because they do not realize they could be affected. If they later discover they may be impacted, they may feel misled, because they were not told about the potential for the impact before the EA was finalized.
People don't believe they can influence the EA	Interested parties may believe that no matter what they do, they will have no influence on the outcome. There tends to be a public perception that only the best-organized and affluent stakeholders can influence the EA process or decision.

Reason	Explanation
People believe the decisions are already made	If the public believes the EA or project decision has already been made, they may refuse to participate in the public participation activities or they may choose other, less desirable, ways to make their concerns known.
People are marginalized	Many of those who remain silent in EA processes do not do so by choice. Groups and individuals are often marginalized socially, and in many cases are unable to participate or find it difficult to do so. This may be because of cultural beliefs and practices, or because of gender issues. Age, occupation and physical disability can also lead to marginalization. Hierarchies within communities may also contribute to this. ²

Addressing lack of participation

Many of these challenges need to be countered early in the planning or through adaptation during the process. Although the circumstances and solutions may vary on a case-by-case basis, many can be addressed through:

- ✓ early provision of adequate information about the project and the EA process;
- ✓ participant funding or other capacity building assistance to support participation in the process;
- ✓ sharing and adapting your proposed objectives before the process begins;
- ✓ being proactive in identifying potentially interested parties and inviting them to participate early;
- ✓ informal contact with potentially interested parties – not just decision makers;
- ✓ tailoring activities to the appropriate audience;
- ✓ offering a range of involvement methods that do not involve significant time and resources on the part of the participants;
- ✓ providing interested parties with the respect, support, recognition and encouragement they need to participate effectively;
- ✓ monitoring who participated, what they said and how it affected the process and decision(s); and
- ✓ sincerely listening to and acting on the concerns of the potentially interested parties.

² SAIEA. 2005. *A One Stop Participation Guide*.

Chapter 6. Evaluating the Process and Communicating Outcomes

Overview

Purpose of Chapter 6

This chapter provides guidance and tools for evaluating the effectiveness of the public participation process and communicating the outcomes to interested parties and decision makers.

Contents

This chapter contains the following main parts.

Topic	See Page
Part 1. Review Plan Activities and Outcomes	6-3
Part 2. Inform Decision Makers	6-7
Part 3. Communicate the Outcomes	6-9
Appendix 6A. Evaluation Questions	6-12

Intended audience

This chapter is intended for anyone who would like practical approaches for evaluating and communicating the outcomes of a public participation process in an environmental assessment (EA). This may include federal responsible authorities or any other parties, such as proponents or consultants, who have been delegated the responsibility to ensure that meaningful opportunities for public participation are provided.

Note: In this chapter the term “you” addresses any individual or group responsible for aspects of a public participation plan, regardless of whether the individual or group is a responsible authority.

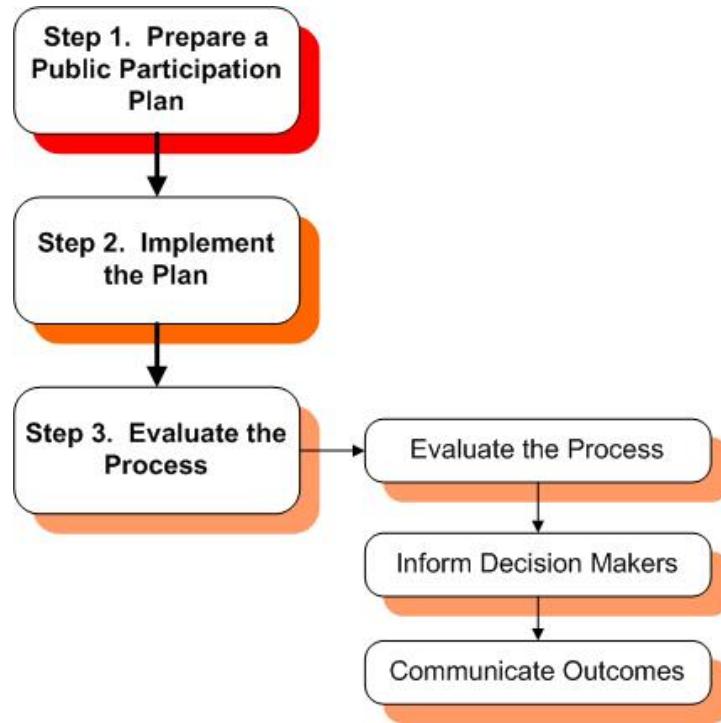
Focus

This chapter should be read once you have planned and implemented opportunities for public participation in the EA process.

Although this chapter presents the information in the context of screenings, the approaches and tools suggested may be applied to any scale of EA if appropriate in the circumstances. Depending on the circumstances of your EA, you may find that certain activities are not necessary for your situation.

Framework for a public participation process

Using the framework shown below, you are now in Step 3.



Part 1. Review Plan Activities and Outcomes

Evaluate the process and outcomes

Evaluation is a tool used to assess the overall effectiveness of the entire public participation process and its outcomes once the key activities are complete and feedback to interested parties has been provided.

Why evaluate the process?

Throughout the implementation of the public participation activities, ongoing monitoring was important to identify whether the public participation plan needed to be adapted to changing circumstances.

Now that those activities are complete, a final evaluation at the end of the process will give you a sense of how the process went overall, whether you achieved your objectives and what you can improve for the next time. This step is key for identifying whether the process was successful and what changes can be made to make future processes more meaningful.

How should you evaluate the process?

It is important to involve the interested parties in this evaluation to ensure that their perceptions are taken into account regarding whether the process was adequate and meaningful.

The techniques for evaluating the process will be similar to those used for monitoring the public participation activities. For example, techniques may include interviews, questionnaires, peer evaluations, formal surveys and informal feedback. It is recommended that you select at least one formal evaluation technique so you solicit input on the overall impressions of the public participation process.

Like the public participation plan itself, the scale of your evaluation will vary depending on your circumstances. For example, if your plan was complex, you may wish to conduct formal surveys to solicit feedback. If your plan was not complicated, you may simply speak one-on-one with people who were involved.

What should you evaluate?

The criteria for judging the overall effectiveness of a public participation process should relate to the objectives identified in the planning stages. It should also focus on participant satisfaction with the integrity of the process (i.e., whether interested parties found the process to be meaningful).



Overall, the evaluation should address whether the plan met its objectives and whether it reflected the key elements of meaningful public participation. Review your objectives and the key elements of meaningful public participation to verify whether you met all of the elements.

Remember, your evaluation should not focus on the fate of the proposed project, but on the success of the public participation process itself.

Indicators

Using the performance indicators established in the planning stage, evaluate the success of the public participation process and its outcomes.

The following are examples of indicators you may wish to consider:

- the objectives for the public participation process were achieved;
- no interested parties indicate that they did not have the opportunity to participate;
- the public participation plan was adapted as necessary to match the needs and circumstances of the project and interested parties;
- interested parties indicate that communications and materials were appropriate and effective;
- interested parties indicate that they had fair and reasonable time to evaluate and respond to the information presented;
- internal management and communication processes were timely and adequate;
- rights relating to the ownership of information, including traditional knowledge, were adequately addressed;
- the extent of involvement by interested parties was deemed to be appropriate by all interested parties;
- participants indicate their input was fairly considered during the EA process; and
- the quality and quantity of input from participants was adequate to improve the quality of the EA.



Appendix 6A provides a list of questions to consider when evaluating your public participation process. The questions are organized by plan element.

Identify areas for improvement

Document the lessons you have learned through the public participation process. Take note of what was particularly successful and the improvements you want to make for future processes of a similar nature.

For example, consider whether the people involved and their levels of interest were as you had predicted when you planned your process. If their participation was not what you predicted, how can you improve your predictions the next time? Likewise, consider whether your public participation plan was useful for managing the process. What improvements can you make for better planning in the future?

Share lessons learned

Share lessons learned and best practices to build capacity in your organization. Ensure that future processes are improved in light of your experiences by making the results of your evaluation available with distribution to all staff who may be undertaking similar public participation processes.

The Agency's Quality Assurance Program



The Canadian Environmental Assessment Agency is responsible for evaluating the effectiveness of public participation processes in screenings through its ongoing Quality Assurance Program.

The intent of this commitment is not to evaluate public participation processes on a project-by-project basis, but to evaluate the general public participation practices in federal EA so recommendations for improvement of the federal EA process can be made.

It is proposed that the quality and effectiveness of public participation will be evaluated against aspects of the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act*. For example, whether the eight key elements to meaningful public participation have been addressed and whether rationale for why public participation is or is not appropriate for a screening has been documented.

Worksheets

A detailed worksheet for use in evaluating your public participation process and outcomes can be found on the following page.

Worksheet for Evaluating Process and Outcomes

Measure effectiveness of your process

Developed by the International Association for Public Participation¹ the following template can be used to help focus the evaluation for the process and specific outcomes.

What is success?	What measures of success could we use?	How will we gather data?	What do the data mean? How might data be used?
PROCESS			
OUTCOME			

¹ © 2006 International Association for Public Participation, www.iap2.org.

Part 2. Inform Decision Makers

Why inform decision makers?

To ensure that the interested parties' contributions are considered in the EA decision, the input received during the public participation process must be made available to the appropriate decision makers.



Remember... a key element of meaningful public participation is “transparent results” and the Ministerial Guideline states:
“Public participation is based on the premise that the public's contribution will be considered in the decision-making process.”

When to inform decision makers

Subsection 20(1) of the Act requires that, before making an EA decision, a responsible authority consider both the screening report and any comments filed pursuant to subsection 18(3).

This means that any comments received as a result of public participation activities provided under the Act must be made available to the responsible authority before the EA decision is made. Therefore, once you have analyzed and documented the public input, you should provide the comments and your analysis to the responsible authority for consideration.



Also, remember that subsection 20(4) of the Act states that if a responsible authority is providing an opportunity for public participation under subsection 18(3) of the Act, it cannot make the EA decision for a screening until after

- the notice of commencement,
- description of the scope of the project and
- description of the factors to be taken into consideration and the scope of those factors (or an indication of how such a description may be obtained)

have been included on the Registry Internet site for a minimum 14-day waiting period.

How should you inform decision makers?

The results of your public participation process should be documented in a form that can be made available to decision makers and to the public.

Following the completion of the public participation process, you may find yourself with literally volumes of material. This could include written submissions, minutes of small group and public meetings, and responses from questionnaires. Your challenge will be to summarize the input, issues, responses and views about these issues, in a brief but adequate summary document that provides decision makers with what they need to make an informed decision.

The summary may be included in the EA report, (e.g., as an appendix), but will often be provided as a separate document.

What should you document?

It is essential to make an overall evaluation of each main issue. Include a description of each issue and explain factors such as how critical each issue is for the interested parties, how important it is for the responsible authority to address the issue in the EA decision and the recommendations interested parties made for addressing the issue.

To identify the extent and type of information for decision makers, consider:

- how the public participation process has influenced the outcomes of the EA;
- whether interested parties perceived that the public participation process was meaningful and effective;
- how much outstanding concern or controversy there is regarding certain issues;
- the significance of environmental effects and the perceived potential for adverse environmental effects;
- what background information may be required; and
- how much time the decision makers will put aside to review the recommendations and background material.

Your summary should also include the results of your evaluation of the public participation process so decision makers can gauge the level of success and interested parties' perceptions of the process. This is particularly important if there are outstanding concerns or questions that could not be addressed and that may affect the EA decision.

Part 3. Communicate the Outcomes

Provide feedback

Once the EA decision has been made, it is good practice to inform interested parties of the decision, why it was made and how public input affected the decision.

It is important that this feedback is provided directly to those who were involved in the public participation activities. It should also be available to interested parties who did not participate as actively, but who want to stay informed.

This feedback loop is necessary to demonstrate to the public that their time and effort have been well invested and their comments and concerns have been understood and accurately communicated to decision makers. It also shows the public if and how their input has been interpreted and considered in the EA decision.



Remember... a key element of meaningful public participation is “transparent results” and the Ministerial Guideline states:

“A public participation process should, at its conclusion, provide information and rationale on whether or how the public input affected the decision.”

What should be communicated?

Once a responsible authority makes its EA decision, you should communicate that decision to the interested parties, along with a rationale for the decision. The participants should be informed of the EA decision-making process and understand the reasons why and how their comments did or did not influence the EA decision. If the decision does not address all public comments or concerns, provide a reasonable explanation.

Also, tell them what the next steps are and whether there is opportunity for them to participate in the implementation or monitoring of a project, if it proceeds.

If the project does get underway, it may still be necessary to remain transparent and open to concerns raised by the public. Public participation during the project implementation may be essential for mitigation monitoring or a follow-up program. You may wish to continue your public participation process during project implementation until the monitoring or follow-up program activities are complete.



As a minimum, interested parties should be informed of:

- the decisions made (i.e., the course of action to be taken);
- why they were made (i.e., the rationale that lead to the decisions);
- how the input was incorporated into the EA report, or if not, why;
- how public input influenced the EA decision-making process;
- responses to outstanding public concerns;
- next steps regarding the implementation of the proposed project; and
- mitigation monitoring, a follow-up program or any other relevant activities.

In summary, the interested parties should be able to see the connections between their participation and the outcomes, that is, tell them: *“This is what we asked; this is what you said; and this is what we did with what you said.”*

How should you provide feedback?

Depending on the nature of the interested parties, you may use a variety of communication techniques to provide information on the outcomes of the EA process. While this may be done verbally, it is best to prepare a written report that gives an accurate record of the outcome of public participation activities and information about the decision-making process.

The scope of the EA and project demands will also influence the approach to reporting the outcomes of the public participation process. For example, for a complex plan you may require extensive reporting techniques, whereas a simple plan may only require a brief summary report or visual presentations that adequately communicate the relevant findings.

Summaries, where feasible and appropriate, can be made available at a local community centre, or sent to individuals or organizations by e-mail or mail. A useful means of disseminating summary information is through the radio where the summary can be read aloud in the language of preference.

The information should also be sent to the community’s leadership or any individual or groups representing the interested parties.

Note: If reporting is required for regulatory purposes or approvals for other jurisdictions, it may be necessary to use specific reporting frameworks to meet their needs as well.



Remember to communicate in a language and format that is appropriate to the audience you intend to reach.

Feedback methods

Feedback to the interested parties may be provided through any method that is appropriate in the circumstances. Examples include:

- ✓ written communication with key interested parties (e.g., letters);
- ✓ mailing final or summary decision reports to participants;
- ✓ personal communication (e.g., meetings with interested parties);
- ✓ posting public notices about the EA decision (e.g., on the Registry Internet site and in newspaper ads);
- ✓ media releases and feature news stories;
- ✓ open houses or public displays (e.g., malls, municipal offices, libraries);
- ✓ presentations (e.g., press conferences, public meetings); and
- ✓ distribution of official decision documents.



It is always prudent to communicate outcomes personally to any interested parties who were directly involved in the public participation activities.

Questions to consider



- How has the information provided by interested parties been considered in the EA decision-making process?
- Have we agreed on a mechanism to inform interested parties of the final decision?
- Are we documenting our decision and its impact on interested parties?
- Have we ensured a timely mechanism that will enable interested parties to give feedback regarding the outcome of the public participation process?
- Do we have a mechanism in place to respond or address the outstanding concerns that might be brought up by the interested parties?

Appendix 6A. Evaluation Questions

Evaluation questions

This section provides examples of questions to consider when evaluating your public participation process. The questions are organized by process element.

Element	Evaluation Questions
Objectives	<input type="checkbox"/> Were the objectives for the public participation process achieved?
Planning	<input type="checkbox"/> How closely did the process follow the public participation plan? <input type="checkbox"/> What modifications had to be made? Why? <input type="checkbox"/> Were the modifications effective? <input type="checkbox"/> Were the changes documented and the plan updated? <input type="checkbox"/> Was the planning process effective? <input type="checkbox"/> Are modifications required for the next process? <input type="checkbox"/> Did the planning process improve the outcome of the public participation process? <input type="checkbox"/> Was the process planned, implemented and revised as necessary to match the needs and circumstances of the project? <input type="checkbox"/> Was the process planned, implemented and revised as necessary to reflect the needs and expressed preferences of participants?
Budget	<input type="checkbox"/> Did the public participation process stay within budget?
Schedule	<input type="checkbox"/> Was the time line for the process realistic? <input type="checkbox"/> Were the public participation process milestones met? <input type="checkbox"/> Were the public participation activities conducted at appropriate times? <input type="checkbox"/> Did the process provide the public with a fair and reasonable amount of time to evaluate and respond to the information presented? <input type="checkbox"/> What influence did the public participation process have on the project schedule?

<p>Human resources</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Was the staff time allocated to the process realistic? <input type="checkbox"/> Was the workload manageable? <input type="checkbox"/> Were internal management and communication processes effective? <input type="checkbox"/> Were external resources (e.g., consultants, facilitators, technical experts) required? <input type="checkbox"/> How well did the external resources (if used) understand the objectives of the process? <input type="checkbox"/> How was the quality of work of the external resources (if used)? <input type="checkbox"/> Did the contribution of external resources (if used) improve the outcome of the process?
<p>Public notice and access to information</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Was notification given early enough for the public to have the opportunity to influence the planning of a project and its EA process before any irrevocable decisions were made? <input type="checkbox"/> Were all participants provided with the information they needed to participate effectively on a timely basis? <input type="checkbox"/> Did participants believe they had the information needed to contribute at the level they desired? <input type="checkbox"/> Was the information provided to participants in the appropriate language? <input type="checkbox"/> Was information exchanged using culturally sensitive means of communication? <input type="checkbox"/> Was access to information only limited in accordance with the laws relating to access to information and privacy? <input type="checkbox"/> Were rights relating to the ownership of information respected?
<p>Materials</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How effective were the materials (e.g., print, electronic) created for the process? <input type="checkbox"/> Were they worth the cost? <input type="checkbox"/> What were the public reactions to the materials? <input type="checkbox"/> How effective was the production and distribution of the materials?
<p>Media</p>	<ul style="list-style-type: none"> <input type="checkbox"/> What and when did the media report about the EA process or the project? <input type="checkbox"/> What and when did the media report about the responsible authority(ies), federal authority(ies) or the proponent? <input type="checkbox"/> Were there specific issues on which the media focused? Supported? Criticized?

	<ul style="list-style-type: none"> <input type="checkbox"/> How effectively did the responsible authority(ies), federal authority(ies) or the proponent manage the media?
<p>Public participation activities</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Were all key interested parties identified and provided with the opportunity to participate? <input type="checkbox"/> How effective were each of the public participation activities? <input type="checkbox"/> Were modifications required? <input type="checkbox"/> Did the public respond to the public participation opportunities? <input type="checkbox"/> Was the level of public participation appropriate and commensurate with the level of public interest? <input type="checkbox"/> Were both technical and scientific knowledge, and community and Aboriginal traditional knowledge sought and obtained? <input type="checkbox"/> Were knowledge, concerns, values and viewpoints shared in an open, respectful and timely manner? <input type="checkbox"/> Were public participation activities carried out in a manner that respects different community values and needs? <input type="checkbox"/> Did interested parties choose not to become involved? Why? <input type="checkbox"/> Did the public think that the public participation team and responsible authority staff were sincere in their desire to obtain public input? <input type="checkbox"/> Were some activities more successful than others? Why? <input type="checkbox"/> Were the public participation tools and techniques effective?
<p>Public feedback</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Was the public satisfied with the public participation process (e.g., activities, feedback, etc.)? <input type="checkbox"/> Did participants perceive that their input was fairly considered during the EA process? <input type="checkbox"/> Was it clear to participants how their input was considered / used? <input type="checkbox"/> Was the final decision generally acceptable to the public? How do you know? <input type="checkbox"/> How satisfied were participants that their input was used to arrive at the final decision? <input type="checkbox"/> Did participants feel that their hopes and concerns were heard? <input type="checkbox"/> Did the public consider the process to be worth the investment? <input type="checkbox"/> Was it viewed as beneficial?

<p>Public participation outcomes</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Was the quality and quantity of public response adequate to influence or improve the quality of the EA? <input type="checkbox"/> Did the public input provide additional information? <input type="checkbox"/> Was the public's contribution considered in the EA analysis and decision-making process? <input type="checkbox"/> Did input help to address issues and concerns? <input type="checkbox"/> Did input enhance the EA process or EA decision? <input type="checkbox"/> Was information and rationale about whether and how the public's input affected the EA analysis and decision provided at the conclusion of the process? <input type="checkbox"/> Was the public participation process effective in resolving conflicts, issues or concerns? <input type="checkbox"/> Did the public participation process foster better understanding? Did it enhance relationships? <input type="checkbox"/> What impact did the public participation process have on the public's perception of the project, proponent and responsible authority? <input type="checkbox"/> What crises, changes or unanticipated issues arose during the process? How effectively were they managed? Could they have been avoided?
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Annex A. Public Participation Activities and Techniques

Selecting appropriate techniques

The techniques that you use will depend on the objectives of your public participation plan and may be influenced by the issues, needs and preferences of your interested parties, timing and resources.

As shown in the following pages, public participation techniques may be categorized by the level of public participation for which they are most suited. In some cases, one technique may be used for more than one purpose.

Contents

The activities described in the following sections are organized according to level of public participation to help you find the activities that are most compatible with your objectives.

Level of Public Participation	See Page
Matrix of Public Participation Techniques	A-2
A1. Inform	A-3
A2. Consult	A-14
A3. Involve	A-20
A4. Collaborate	A-23

Remember...

- Use several techniques in a plan, rather than relying on just one.
 - As the level of public involvement increases, so does the degree of commitment required on your part.
-

Additional guidance

For more information on the levels of public participation and considerations for selecting the appropriate activities, refer to Chapter 4.

Matrix of Public Participation Techniques

Activity / Technique	Inform	Consult	Involve	Collaborate
Information				
Advertising	✓			
Briefings / Presentations	✓			
Central Information Contact	✓			
Community Fairs / Events	✓			
E-mail	✓			
Field Offices	✓	✓		
Information Centres / Repositories	✓			
Information Kiosks / Exhibits / Displays	✓			
Open Houses	✓	✓		
Print and Electronic Media	✓			
Print Materials / Mail Outs	✓			
Response Summaries	✓	✓		
Site Tours / Field Trips	✓	✓		
Symposiums / Expert Panels	✓	✓		
Telephone Hotlines	✓	✓		
Web Sites and Other Internet Tools	✓	✓		
Consultation				
Coffee Parties	✓	✓		
Comment Forms		✓		
Focus Groups		✓		
Interviews		✓	✓	
Public Meetings	✓	✓		
Surveys		✓		
Town Meetings	✓	✓	✓	
Involvement				
Charettes			✓	✓
Roundtables			✓	
Small Group Meetings			✓	
Workshops			✓	✓
Collaboration				
Advisory Groups		✓	✓	✓
Consensus-Building Techniques			✓	✓
Study Circles		✓	✓	✓
Task Forces			✓	✓

A1. Inform

Introduction

As part of the public participation process, the public is notified and informed about the project, the EA process and public participation opportunities, usually through adequate public notice and access to information.

If used without any consultation, involvement or collaboration, these techniques do not constitute “public participation” as they are characterized by one-way communication, usually with a goal to distribute balanced and objective information aimed at raising awareness and understanding. However, it would not be possible to give a meaningful opportunity to participate without adequately sharing information; therefore, the “Inform” level is essential to every other step in your public participation planning.

Techniques to inform the public

Adapted from the *IAP2 Toolbox for Public Participation* (© 2006 International Association for Public Participation, www.iap2.org), the list below provides information on activities appropriate for use in environmental assessment at the “Inform” level.

- Advertising
 - Briefings / presentations
 - Central information contact
 - Community fairs / events
 - E-mail
 - Field offices
 - Information centres / repositories
 - Information kiosks / exhibits / displays
 - Open houses
 - Print and electronic media
 - Print materials / mail outs
 - Response summaries
 - Site tours / field trips
 - Symposia / expert panels
 - Telephone hotlines
 - Web sites and other internet tools
-

Description	When to Use	Benefits	Risks	Tips
Advertising				
<p>Paid advertisements in newspapers or magazines.</p>	<ul style="list-style-type: none"> • When announcing public meetings or other activities to a broad public 	<ul style="list-style-type: none"> • Allows message to be specifically tailored and accurate • Opportunity to reach wide audience, including people who would not otherwise be aware • Can include a clip-out request for information to provide opportunity for two-way communication and expansion of mailing lists 	<ul style="list-style-type: none"> • Can be expensive, particularly in urban areas • Effectiveness depends on good preparation and targeting • Limits the amount of information that can be communicated • Potential for public to perceive paid advertisement as an attempt to sell a specific agenda or point of view 	<ul style="list-style-type: none"> • Ensure that the type of print media and timing of advertising effectively reaches target audience • Figure out the best days and best sections of a newspaper to reach intended audience • Avoid rarely read notice sections
Briefings / Presentations				
<p>Presentation to the press or an organized group (e.g., at town councils, civic organizations, local clubs, etc.) to raise awareness, inform and educate, answer questions and generate interest in participation.</p>	<ul style="list-style-type: none"> • May be effective early in the convening process to create awareness and identify individuals for subsequent interviews • Use regular meetings of social and civic clubs and organizations 	<ul style="list-style-type: none"> • Information presented can be controlled • Important step for building rapport and trust • Opportunity to hear participants' comments and opinions • Same presentation can be used for different groups • Cost effective • May reach individuals that 	<ul style="list-style-type: none"> • Topic may not be relevant to whole audience • Topic may be too technical to capture interest of whole audience 	<ul style="list-style-type: none"> • Make sure presenter is able to answer questions • Make sure presentation is accurate • Know audience beforehand and anticipate likely interests and concerns • Bring information materials you can leave behind • Explain how the audience may participate

Description	When to Use	Benefits	Risks	Tips
		<p>may not otherwise be reached</p>		<p>in the process</p> <ul style="list-style-type: none"> • Ensure that information is understandable and captures the interest of the audience • Use visuals and “show and tell” techniques • Include question and answer session
Central Information Contact				
<p>A designated person(s) who serve(s) as a single point of contact for inquiries about the project or proposal.</p>	<ul style="list-style-type: none"> • To provide reliable access for the public and media to get information and answers through a one-window approach • When one person or a group can reasonably stay informed about both the process and technical aspects of a proposed project or process • Where there is an individual who is trusted in the community 	<ul style="list-style-type: none"> • Can be used for any size of project • Can be combined with a telephone hotline, information repository or field office (i.e., combine staff) • People don’t get “the run around” when they call • Conveys image of accessibility • Controls information flow 	<ul style="list-style-type: none"> • Difficult when there are multiple decision makers and their objectives are not necessarily in alignment • Difficult when one spokesperson cannot represent the diversity of views among the decision-making body • Contact must be committed to and prepared for prompt and accurate responses 	<ul style="list-style-type: none"> • Ensure the contact person has a system to document inquiries and requests for information • If possible, list a person, not a position • Best if contact person is local • Ensure the contact person has ready access to all project background materials • Make sure message is always up-to-date
Community Fairs / Events				
<p>A central event with multiple activities to provide information or raise awareness of a project.</p>	<ul style="list-style-type: none"> • To raise awareness or attract attention • To attract media 	<ul style="list-style-type: none"> • Builds awareness • Attracts media coverage 	<ul style="list-style-type: none"> • Difficult to organize and execute • Public must be motivated to 	<ul style="list-style-type: none"> • Plan events that are attractive to target audience • Ensure displays are interesting,

Description	When to Use	Benefits	Risks	Tips
	<ul style="list-style-type: none"> To connect with interested parties in a relaxed setting 	<ul style="list-style-type: none"> Tone of the event is positive Encourages informal information sharing and relationship building 	<ul style="list-style-type: none"> attend Requires significant time commitment from staff Usually expensive to do it well 	<ul style="list-style-type: none"> but also informative Ensure that planning of logistics is comprehensive and detailed Make certain the event is adequately staffed Be prepared for crowds if advertised widely Add fun elements and build a celebratory atmosphere
E-mail				
<p>A computer-based way to contact interested parties directly.</p>	<ul style="list-style-type: none"> To share information, including notifying parties when new material is posted to a Web site, inviting them to upcoming meetings, distributing comment and evaluation forms, sharing summaries of meetings, comments and input, etc. When you hope people will pass on messages to others since e-mail is much easier to share 	<ul style="list-style-type: none"> An inexpensive way to reach people directly Can be used to contact and notify a number of interested parties in an efficient manner 	<ul style="list-style-type: none"> Significant amount of time required to read and respond to direct e-mail Response is unpredictable Can be difficult to maintain an accurate and current electronic distribution list for the project Not everyone has easy access to e-mail 	<ul style="list-style-type: none"> Design a system for organizing and responding to e-mail submissions Remember that people read and share e-mail differently than hard copy mail; thus messages must be written differently Develop methodology for analyzing responses to make data useful Augment with hard copy mail for those who

Description	When to Use	Benefits	Risks	Tips
	than hard copies			prefer it or don't have ready e-mail access
Field Offices				
<p>A staffed office at or near a project site where the public can get information, ask questions and share concerns about a proposed project.</p>	<ul style="list-style-type: none"> • When interested parties are located near the project site • When you want to have a local presence 	<ul style="list-style-type: none"> • Provides opportunity for informal interaction with the interested parties • Presence of a field office helps build credibility and commitment to the community • Field office staff often obtain a more in-depth understanding of community needs and issues 	<ul style="list-style-type: none"> • Can be expensive to establish, operate and staff • Project must be of considerable interest to the community to justify the cost • Access is limited to those in the vicinity of the field office 	<ul style="list-style-type: none"> • Establish in an accessible, frequented location • Publicize location and keep regular hours of operation (may require evening or weekend hours) • Ensure that staff is familiar with the project and information materials • Provide “take away” materials (e.g., brochures, maps and background documents) • Have a system for recording concerns and comments
Information Centres / Repositories				
<p>Locations where materials are available for review and use by the public (e.g., in libraries, town halls, schools or public reading rooms in other locations that are convenient to</p>	<ul style="list-style-type: none"> • To provide easy access to project background materials • To ensure that project materials are available to interested parties 	<ul style="list-style-type: none"> • Relevant information is accessible without incurring the costs or complications of sending multiple copies sent to different 	<ul style="list-style-type: none"> • Use relies on the public's initiative. Often centres are not well used 	<ul style="list-style-type: none"> • Ensure that materials are regularly updated • Use sign-in sheets to track use and build mailing lists • Check

Description	When to Use	Benefits	Risks	Tips
community members).		people		frequently to assure that materials are in order and in good repair
Information Kiosks / Exhibits / Displays				
A station where project information is available (e.g., at a shopping centre, school, town hall, library or fair).	<ul style="list-style-type: none"> • When you want to provide easy access to information • When there's high general public interest in the project • When you want to increase general public awareness about the project 	<ul style="list-style-type: none"> • Effective means of providing general information to the public • Opportunity to identify public and groups interested in participating in the process • May reach audiences that may not otherwise be reached • Can be staffed or not • Can include a computer-based station connected to project Web site • Can be permanent or used during short-term events 	<ul style="list-style-type: none"> • If not coordinated with other public participation activities, may arouse attention without opportunities for feedback • Staffed displays require significant staff time commitment 	<ul style="list-style-type: none"> • Best located in high pedestrian traffic areas • Content should be simple and straightforward • A staffed, visually interesting display attracts more attention • Ensure that staff is well briefed about the project • Provide "take away" material for individuals seeking more information • Plan a way to re-stock materials regularly • Offer methods for comment (e.g., response forms)
Open Houses				
An informal setting with multiple exhibits where participants rotate through information displays and discuss specific topics with project staff.	<ul style="list-style-type: none"> • To improve public understanding about a project, particularly for a complex project • To receive public input 	<ul style="list-style-type: none"> • Heightens awareness and educates public in an informal manner • Participants can gravitate to information of 	<ul style="list-style-type: none"> • Verbal public comment during event may be difficult to record • Best used when focus is on providing 	<ul style="list-style-type: none"> • Combine with other events (e.g., before a public meeting) • Set up several stations to address separate issues

Description	When to Use	Benefits	Risks	Tips
		<p>most interest to them</p> <ul style="list-style-type: none"> • Provides opportunity for direct interaction and relationship building • Some ability to correct misinformation and explore public opinion in more depth • People may feel more comfortable expressing views in an informal setting • Builds credibility 	<p>information</p> <ul style="list-style-type: none"> • Difficult to measure effectiveness • Agitators may stage themselves at each display • Usually more staff intensive than a meeting • Public must be motivated to attend 	<ul style="list-style-type: none"> • Schedule on days and times that encourage attendance • Advertise in advance • Greet and explain format to participants on arrival • Have resource people guide parties through the exhibits • Provide a sign-in sheet to document participation and build mailing list • Ensure that displays are visually appealing, accommodate groups and provide information in a simple manner • Provide response forms to collect feedback
Print and Electronic Media				
<p>Newspaper, radio and television, e.g.,</p> <ul style="list-style-type: none"> • News releases • Public service announcements • Feature stories • Media coverage 	<ul style="list-style-type: none"> • To reach a broad general audience 	<ul style="list-style-type: none"> • Publicity offers opportunities for coverage in cost-prohibitive medias • Information presented in media often has higher 	<ul style="list-style-type: none"> • To maintain credibility with the media, must be prepared to release all information • Media may not provide coverage on 	<ul style="list-style-type: none"> • Include additional background information or press kits with news releases • Offer to speak with media to provide

Description	When to Use	Benefits	Risks	Tips
<ul style="list-style-type: none"> • Community calendars • Newspaper inserts 		<p>credibility among public</p> <ul style="list-style-type: none"> • Effective means of informing media of the project • May stimulate media to cover project in more depth • Messages from news release may be used directly in articles 	<p>stories that they do no consider newsworthy</p> <ul style="list-style-type: none"> • No direct control over final content of article or media coverage • Placement of news release within newspapers may be poor 	<p>clarification or additional information</p> <ul style="list-style-type: none"> • Ensure that tone captures interest and is newsworthy • Ensure outreach is well designed and coordinated • Utilize staff with media relations training and contacts
Printed Materials / Mail Outs				
<p>Written material directly mailed or otherwise disseminated to interested parties (e.g., fact sheets, progress reports, newsletters, brochures, reports and direct mail letters).</p>	<ul style="list-style-type: none"> • To keep all interested parties informed of status and progress of a project • To reach those parties who may not come to meetings • To make sure people see and receive important information including status reports, meeting notices and comment forms 	<ul style="list-style-type: none"> • Can reach a large target audience • Can provide a large amount of information at a relatively low cost • Decreases time dedicated to repeating same information verbally • Can be combined with a reply card or comment form to encourage public response • Provides opportunity to update information on an ongoing basis 	<ul style="list-style-type: none"> • Preparation and approval of materials can be time consuming • Limited ability to communicate complex concepts • Reach depends on mailing list and distribution network • Material may not be read by target audience 	<ul style="list-style-type: none"> • Content should be straightforward and easily understood • Content must be unbiased and objective • Must be visually appealing to attract attention (but avoid a slick sales look) • Should be short and simple – typically a maximum of 8 to 12 pages • A postage paid reply card will encourage responses and help to expand mailing list
Response Summaries				

Description	When to Use	Benefits	Risks	Tips
A form of documentation that provides feedback to the public regarding comments received and how they are being incorporated.	<ul style="list-style-type: none"> To announce publicly and openly, and show how all comments were addressed 	<ul style="list-style-type: none"> It is a formal way of responding to every public comment in writing 	<ul style="list-style-type: none"> Potential need to protect private information 	<ul style="list-style-type: none"> Organize comments by themes
Site Tours / Field Trips				
Opportunities for members of the public, advisory groups or elected officials to go on a field trip to locations that will help them learn about a particular topic.	<ul style="list-style-type: none"> To provide an opportunity for first-hand view To support the work of an ongoing small group 	<ul style="list-style-type: none"> Provides interested parties with greater understanding of the project or issue Provides opportunity to develop positive relationships with interested parties Provides opportunity to understand interested parties' opinions, issues and concerns 	<ul style="list-style-type: none"> Number of participants is limited by logistics Cost of transportation may be significant Potentially attractive to protesters 	<ul style="list-style-type: none"> Ensure the logistics for trips and tours are carefully planned, (include contingency plans) Guide(s) should have in-depth knowledge of the project and issue Include a question and answer session
Symposiums / Expert Panels				
A public meeting or conference to discuss a particular topic involving multiple speakers (e.g., presentations by experts from different perspectives or a moderated panel discussion).	<ul style="list-style-type: none"> To provide an opportunity for experts (who have different views on a topic) to be heard To expose participants to multiple perspectives or aspects of an issue 	<ul style="list-style-type: none"> Raises new issues, clarifies points of view, identifies various interests Stimulates further discussion with the public Provides opportunity for balanced dialogue on key 	<ul style="list-style-type: none"> Potential to increase public concerns by highlighting issues and problems Panel presentations can be academic and difficult to understand Requires substantial 	<ul style="list-style-type: none"> Ensure that the moderator is skilled and non-biased Ensure invited presenters will provide a full range and balance of perspectives Provide the public with the opportunity to participate after

Description	When to Use	Benefits	Risks	Tips
		issues	planning and financial resources • Public must be motivated to attend	the panel discussion • Establish and communicate rules for participation
Telephone Hotlines				
<ul style="list-style-type: none"> • A staffed telephone number where the public can seek information, ask questions or even submit comments. • A non-staffed line could provide recorded information or provide an opportunity for submitting faxed comments. 	<ul style="list-style-type: none"> • To support any large or complex project • To provide a ready source of information 	<ul style="list-style-type: none"> • Helps public locate project contact who has the information they require • Provides a mechanism for receiving public comment and feedback • Promotes information consistency • Provides readily up-to-date information about the project • Gives appearance of accessibility 	<ul style="list-style-type: none"> • Staff must be prepared to reply to information requests promptly and accurately • Inappropriate responses from phone line staff can produce a negative reaction from the public 	<ul style="list-style-type: none"> • If using to receive input, design a system for recording comments • Hotline number should be well publicized and easily remembered • Dedicated staff should be knowledgeable and skilled communicators • Use toll-free number if not local Pre-recorded messages should include access to appropriate project contact and a voice mail option
Web Sites and Other Internet Tools				
A Web site provides information and links to other sites through the World Wide Web. Examples include: <ul style="list-style-type: none"> • An electronically based information repository (e.g., the Canadian 	<ul style="list-style-type: none"> • To reach people who won't come to meetings • To create an information repository available to anyone with Internet access anywhere and 	<ul style="list-style-type: none"> • Potential to reach very large audience and is accessible at their convenience • Capable of providing in-depth information 	<ul style="list-style-type: none"> • Poor design can limit the effectiveness • Not all individuals have access to the Internet • Large files or graphics can take a long time 	<ul style="list-style-type: none"> • Ensure that the site is logical and easy to navigate • Ensure that the writing and layout is presented in a simple and understandable

Description	When to Use	Benefits	Risks	Tips
<p>Environmental Assessment Registry Internet site)</p> <ul style="list-style-type: none"> • Dedicated Web sites that provide a post office, meeting place, bulletin board or speaker's platform 	<p>any time</p> <ul style="list-style-type: none"> • To reach people across a very large geographic area 	<ul style="list-style-type: none"> • Opportunity to provide links to other relevant Web sites • Can effectively collect and organize feedback from public • Low cost method of distributing general information and large documents 	<p>to download</p>	<p>manner</p> <ul style="list-style-type: none"> • Update the site on a regular basis • Offer opportunity to provide feedback • Promote the site so people know to go there for information

A2. Consult

Introduction

At the consultation level, communication becomes two-way, information is shared with the public and opportunities for feedback are provided. The intent is to raise awareness and understanding about a project or activity, and to receive and consider public comments. At this level, responsible authorities, proponents and the public have the opportunity to listen to and learn about each other's plans, views, issues and expectations.

Public consultation techniques

Adapted from the *IAP2 Toolbox for Public Participation* (© 2006 International Association for Public Participation, www.iap2.org), the list below provides information on activities appropriate for use in environmental assessment at the "Consult" level.

- Coffee parties
- Comment forms / response sheets
- Focus groups
- Interviews
- Mailed surveys and questionnaires
- Public meetings
- Telephone surveys
- Town hall meetings
- Web-based surveys

Description	When to Use	Benefits	Risks	Tips
Coffee Parties / Kitchen Table Discussions				
Small group meeting over coffee, usually in a private home, coffee shop or field office.	<ul style="list-style-type: none"> • To develop personal, face-to-face relationships • To gain information on concerns and preferences 	<ul style="list-style-type: none"> • Informal atmosphere encourages positive dialogue • Serves to build relationships with interested parties 	<ul style="list-style-type: none"> • Significant time commitment required to reach a large audience • Can be costly and labour intensive 	<ul style="list-style-type: none"> • Emphasis should be on informality • Make any statements or presentations extremely brief • Be polite and appreciative
Comment Forms / Response Sheets				
A form given to people for them to complete and return (e.g., mail-in-forms included in fact sheets or other mailings).	<ul style="list-style-type: none"> • To gain information on public's concerns and preferences 	<ul style="list-style-type: none"> • May be conducted on-line • Provides an opportunity for less vocal participants to 	<ul style="list-style-type: none"> • Results are not representative of a larger population • Results are not good for quantitative data (i.e., do not 	<ul style="list-style-type: none"> • Design the form to solicit input that can be used readily • Be clear on how the responses will be used

Description	When to Use	Benefits	Risks	Tips
		share their views <ul style="list-style-type: none"> • May provide qualitative input from organized groups and individuals • Typically more in depth than survey and questionnaire responses 	generate statistically valid results) <ul style="list-style-type: none"> • Content analysis can be difficult and labour intensive 	<ul style="list-style-type: none"> • Give adequate time for people to complete them • Use prepaid postage • Include a section to add name to the mailing list
Focus Groups				
A small group-facilitated discussion used to gauge public opinion based on a carefully selected group of individuals.	<ul style="list-style-type: none"> • To explore attitudes in depth at the start of a project • To test messages with randomly selected members of a target audience • To provide an opportunity for input from otherwise underrepresented individuals • To supplement other public participation techniques 	<ul style="list-style-type: none"> • Effective for soliciting stakeholder insights, perspectives, opinions and preferences • Works best for select target audience (e.g., a specific subgroup of the population) • Can be used to test key messages or decisions before implementing them • Relatively cost effective 	<ul style="list-style-type: none"> • Do not have strong statistical validity • Success of the focus group depends on the moderator's skill • Focus groups originated as a market research tool; therefore, may be seen as an effort to learn how to sell a message 	<ul style="list-style-type: none"> • Prepare a moderator's guide for consistency and comparability • Use open-ended questions to inspire interactive dialogue • Try to recruit participants with a cross-section of interests • Ensure that the moderator is skilled and well briefed • Conduct at least two sessions for a given target audience
Interviews				
A one-on-one or small group meeting to gain information, from individuals.	<ul style="list-style-type: none"> • To build rapport • To learn individual perspectives about issues • To come up with solutions or ideas 	<ul style="list-style-type: none"> • Provides opportunity for in-depth information exchange in a non-threatening forum • Opportunity to gain an understanding of 	<ul style="list-style-type: none"> • Scheduling and conducting individual interviews can be time consuming 	<ul style="list-style-type: none"> • Conduct in-person where possible • Prepare an interview guide in advance, with standardized questions for consistency and comparability

Description	When to Use	Benefits	Risks	Tips
		<p>issues, concerns and preferred outcomes specific to each interested party</p> <ul style="list-style-type: none"> • Can offer direction for future public participation activities • Provides a standardized framework for collecting and analyzing input 		<ul style="list-style-type: none"> • Try to meet participants in their space, or in a neutral location, and at a time convenient to them • Be clear why you are there and provide the interviewee with information up front so they can formulate questions • Be certain to discuss confidentiality • Take careful notes and provide objective documentation • Stay neutral
Mailed Surveys and Questionnaires				
<p>Inquiries mailed randomly to a sample population.</p>	<ul style="list-style-type: none"> • To gain specific information for statistical validation • To understand the opinions or preferences of a group as a whole • To study general attitudes 	<ul style="list-style-type: none"> • Can provide an opportunity for statistically valid results, which political organizations and the public may consider more credible • Can provide input from people who may be unlikely to attend meetings • Provides input from cross-section of public, not just activists 	<ul style="list-style-type: none"> • Response rate is generally low • For statistically valid results, can be labour intensive and expensive • Level of detail may be limited • Printing and distribution can be costly where sample size is large 	<ul style="list-style-type: none"> • Questionnaire should be professionally developed and administered to avoid bias • Develop distribution strategy to target sample population • Use fixed response questions (e.g., multiple choice) rather than open-ended questions • Provide information about confidentiality

Description	When to Use	Benefits	Risks	Tips
				<ul style="list-style-type: none"> • To increase response rates, provide pre-paid postage and offer other options (e.g., on-line or by e-mail) • Ensure that instructions are straightforward and that the design is user friendly
Public Meetings				
<p>An organized large group meeting usually used to make a presentation and give the public an opportunity to ask questions and give comments.</p>	<ul style="list-style-type: none"> • To give everyone a chance to vocalize their opinions publicly • To allow everyone an opportunity to hear the exact same information and comments • To allow people a chance to vent their concerns and frustrations, etc. 	<ul style="list-style-type: none"> • Open to the public at large • Provides understanding of the public's opinions and concerns • Facilitates open communication with the public 	<ul style="list-style-type: none"> • Difficult to determine level of participation in advance • Only a limited number of participants may speak – some may not be comfortable voicing opinions in public • Question and answer session may be difficult to manage, particularly if the project is controversial • Potential for tension between opposing stakeholder groups • Can escalate out of control if emotions are high 	<ul style="list-style-type: none"> • Advertise in advance and immediately before the meeting • Keep information presentation short and simple • Use visuals • Allot significant time for question and answer session • Provide response forms for individuals uncomfortable with speaking in public • Set up the meeting to be as welcoming and receptive as possible to ideas and opinions, and to increase interaction between technical staff and the public

Description	When to Use	Benefits	Risks	Tips
Telephone Surveys				
Random sampling of a population by telephone.	<ul style="list-style-type: none"> To gain specific information for statistical validation To understand the opinions or preferences of a group as a whole To study general attitudes 	<ul style="list-style-type: none"> Can random sample within a target population Opportunity for statistically valid results Can provide input from people unlikely to attend meetings Can provide input from cross section of public, not just those on mailing list Higher response rate than with mail-in surveys 	<ul style="list-style-type: none"> More expensive and labour intensive than mailed surveys 	<ul style="list-style-type: none"> Make sure you need statistically valid results before making investment Questionnaire should be professionally developed and administered to avoid bias
Town Hall Meeting				
A group meeting format where people come together as equals to share concerns.	<ul style="list-style-type: none"> To provide an opportunity for people to state their concerns at the start of a project When a meeting is hosted by a public official to elicit input from constituents 	<ul style="list-style-type: none"> May be designed to address a specific issue or public concerns in general 	<ul style="list-style-type: none"> There are cultural and political differences in the understanding of the term “town meeting”. It may be interpreted differently depending on where you work 	<ul style="list-style-type: none"> Be clear on objectives and how input will be used Ensure that the moderator is skilled and well briefed
Web-Based Surveys				
Web-based response polls or Internet surveys.	<ul style="list-style-type: none"> To understand the opinions or preferences of interested parties To learn about changes or trends in public 	<ul style="list-style-type: none"> Opportunity to access individuals not on mailing lists or who are unlikely to attend meetings 	<ul style="list-style-type: none"> Generally not statistically valid results Can be labour intensive to look at all the responses 	<ul style="list-style-type: none"> Be precise in how you set up site Chat rooms or discussion places can generate more input than you can look at

Description	When to Use	Benefits	Risks	Tips
	opinions	<ul style="list-style-type: none"> • Individuals can complete and submit survey at their leisure • Low cost to produce and administer • Response rate higher than other survey forms • No additional data entry is required and results can be analyzed immediately 	<ul style="list-style-type: none"> • Cannot control the geographic reach of poll • Results can be easily skewed (e.g., risk of campaigns from activist or organized groups) • Expertise may be required to design and post on-line surveys 	

A3. Involve

Introduction

Moving through the continuum to involving the public, two-way communication increases and centres on established and mutually accepted objectives and the public has more influence on decision making. At this level, feedback from the public is analyzed and incorporated into alternatives and outcomes.

Techniques to involve the public

Adapted from the *IAP2 Toolbox for Public Participation* (© 2006 International Association for Public Participation, www.iap2.org), the list below provides information on activities appropriate for use in environmental assessment at the “Involve” level.

- Charettes
- Roundtables
- Small group meetings
- Workshops

Description	When to Use	Benefits	Risks	Tips
Charettes				
An intense process that brings together representative interested parties for a prolonged working meeting or series of meetings.	<ul style="list-style-type: none"> • To generate a comprehensive list of solutions, alternatives, plans or designs for use in decision making • To facilitate collaborative design • To promote an organization’s openness to suggestions 	<ul style="list-style-type: none"> • An effective process will result in solutions that move toward a project decision • Can combine with other techniques, such as an advisory committee • Can effectively achieve a consensus among conflicting groups or interests • Encourages joint problem solving • Fosters understanding of positions held by other groups • Builds 	<ul style="list-style-type: none"> • Effective only when participants have a sense of urgency or priority • Requires a significant time commitment from participants • Beneficial only if key decision makers commit to the time and to implement outcomes • Participants may not be seen as representatives of the larger public 	<ul style="list-style-type: none"> • Ensure that all key interested parties participate • Ask participants to commit to remain until consensus has been reached • Spend effort upfront informing the participants • Plan exercises and activities that solicit creative ideas • Have technical experts present to

Description	When to Use	Benefits	Risks	Tips
		cooperative relationships		support the work • Be clear on objectives and how input will be used
Roundtables				
Meetings, usually around a table, to examine an issue through discussion by all participants. Roundtables are often breakout groups, focusing on one or more topics related to the entire issue or project.	<ul style="list-style-type: none"> • When you want to focus on thorough discussion of an issue 	<ul style="list-style-type: none"> • Facilitator can solicit in-depth feedback about issues, concerns, preferences • Free discussion and diverse opinions are encouraged • Each participant is a stakeholder, so the issue is debated from many sides • Level of comfort among the public may increase in smaller setting • Facilitator helps to ensure more equitable participation 	<ul style="list-style-type: none"> • Cost of hiring professional facilitators can be prohibitive 	<ul style="list-style-type: none"> • Ensure that a skilled facilitator manages each roundtable discussion • Consider volunteer facilitators to reduce costs • Record input from each session on flip charts • Present discussion summaries when large group reconvenes
Small Group Meetings				
Small meetings with existing groups or in conjunction with another event (e.g., subdivisions of a larger meeting to deal with specific issues).	<ul style="list-style-type: none"> • To identify priority issues • For brainstorming 	<ul style="list-style-type: none"> • Helps groups generate creative ideas and solutions • Provides opportunities for in-depth information exchange in non-threatening forum • Builds relationships • Diminishes 	<ul style="list-style-type: none"> • Some individuals may feel “processed” rather than consulted • Evaluating input can be challenging • May be too selective and can leave out important groups 	<ul style="list-style-type: none"> • Ensure that the facilitator or process manager is skilled • Clearly identify objectives and desired outcomes • Develop approach to recording and

Description	When to Use	Benefits	Risks	Tips
		<p>potential conflict by providing a structured format for sharing feelings, opinions and perspectives</p> <ul style="list-style-type: none"> • Each participant has a chance to express an opinion 		<p>analyzing input</p>
Workshops				
<p>A public forum where participants work in small groups on defined assignments.</p>	<ul style="list-style-type: none"> • To help participants learn by discovery and exchange • To focus participants on providing input that can feed directly into the decision-making process • For discussions on criteria or analysis of alternatives 	<ul style="list-style-type: none"> • Can build credibility and buy-in • Fosters one-on-one communication • Useful for dealing with complex topics • Participants collectively become involved in defining issues and problem solving • Fosters public ownership in problem solving • Opportunity to receive detailed input from participants 	<ul style="list-style-type: none"> • Extensive planning and organization is required • Several small group facilitators may be required • Challenging participants may negatively influence process and outcome 	<ul style="list-style-type: none"> • Provide briefings on technical matters • Provide time for detailed consideration • Include a cross section of interests in each group • Clearly define tasks and objectives • Use graphic tools (e.g., diagrams) and provide supplies (e.g., flip charts) • Design activities to motivate participants and achieve objectives • Provide facilitators for each group, particularly if process is complex

A4. Collaborate

Introduction Collaboration may include joint planning and input. At this level, the public participates in the analysis of issues, contributes to the development of alternatives, and directly influences recommendations, decisions and outcomes.

Collaboration techniques Adapted from the *IAP2 Toolbox for Public Participation* (© 2006 International Association for Public Participation, www.iap2.org), the list below provides information on activities appropriate for use in environmental assessment at the “Collaborate” level.

- Advisory groups
- Study circles
- Consensus-building techniques
- Task forces

Description	When to Use	Benefits	Risks	Tips
Advisory Groups				
<p>A body of representative individuals convened to meet on a regular basis over time to provide advice to a decision maker.</p>	<ul style="list-style-type: none"> • To solicit information from diverse perspectives • To solicit input over time on complex topics • When there is a high volume of decisions being made that require public involvement, but the public is worn out • When an organization can't move forward because of controversy 	<ul style="list-style-type: none"> • Provides a cross-sampling of public views and concerns • Provides for detailed analysis of issues • Participants become informed before reaching conclusions • Facilitates cooperation and understanding among various interests • Builds relationships 	<ul style="list-style-type: none"> • Cost and staff time for support and resources can be substantial • Members may be required to dedicate considerable volunteer time • General public may not embrace group's recommendations • Members may not achieve consensus 	<ul style="list-style-type: none"> • Define roles and responsibilities up front and record in a terms of reference • Provide equitable access to resources and information • Recruit and interview potential participants • Ensure that stakeholders represent a cross section of affected interested parties, points of view or fields of expertise
Consensus-Building Techniques				

Description	When to Use	Benefits	Risks	Tips
<p>A voluntary process by which representatives of affected parties make decision by consensus, possibly using an impartial mediator.</p>	<ul style="list-style-type: none"> • When mutually dependent parties cannot reach agreement • For building consensus on decisions, such as criteria and alternative selection (e.g., with advisory committees) 	<ul style="list-style-type: none"> • Can result in agreements that are supported by all parties • Communication and understanding among conflicting parties may be improved • Encourages compromise among different interests • Provides structures and trackable decision making 	<ul style="list-style-type: none"> • Can be time and labour intensive • To be successful, all parties must be committed to the process and have a willingness to compromise • Mutually agreeable resolutions may not be reached 	<ul style="list-style-type: none"> • The third party facilitator must be acceptable to all parties • Clearly define the role of the facilitator • Ensure that the facilitator is thoroughly informed • Determine in advance how recommendations will be used • Define level of consensus needed • Allow adequate time
Study Circles				
<p>A small group process where participants meet several times to discuss critical issues using a structured process where each session builds on the one before it.</p> <p>The group looks at the problem from many points of view, explores possible solutions and then makes plans for action and change.</p>	<ul style="list-style-type: none"> • To enable multiple groups to work on their own time in detail on the same issue • To foster group learning and share different perspectives 	<ul style="list-style-type: none"> • Provides an opportunity for enhanced understanding and dialogue • Generates creative problem solving through collaborative study • All participants have an equal opportunity to contribute 	<ul style="list-style-type: none"> • Skilled facilitator is required • Preparing background information can be time consuming and costly 	<ul style="list-style-type: none"> • Provide necessary background information before the meeting • Ensure that participants represent a cross section of perspectives • Participants may be appointed or self-selected • Typically ranges from 8 to 20 participants • Facilitator may let group set its own ground rules

Description	When to Use	Benefits	Risks	Tips
				<ul style="list-style-type: none"> • Written and visual materials should be used to stimulate discussion
Task Forces				
<p>A form of advisory group, consisting of experts or representative stakeholders, formed to accomplish a specific task (e.g., develop a specific product or policy recommendation) and then dissolved.</p>	<ul style="list-style-type: none"> • When you need to accomplish a specific assignment 	<ul style="list-style-type: none"> • Provides an opportunity for differing interests to reach a compromise • Resulting products or recommendations typically have credibility with the public 	<ul style="list-style-type: none"> • Substantial time is needed for preparation • Costs may increase if facilitator is required • Requirements for staff support may be considerable • Significant commitment of volunteer time required by participants 	<ul style="list-style-type: none"> • Members should represent cross section of interests and have credibility with the public • Clearly establish the specific task, desired outcomes and anticipated time frame • Provide access to information and experts • Strong leadership is necessary • In highly charged situations, it should report to a neutral third party

Annex B. References and Resources

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Website Resources

- Consulting with Canadians, Government of Canada - <http://www.consultingcanadians.gc.ca/cpcPubHome.jsp?lang=en>
- International Association of Facilitation – www.iaf.org
- International Association for Public Participation – www.iap2.org
- International Association for Impact Assessment – www.iaia.org
- National Coalition for Dialogue and Deliberation – www.thataway.org
- Public Participation in Environmental Impact Assessments in Developing Countries: Index of Useful Resources (CIDA and Environmental Assessment) - <http://www.acdicida.gc.ca/CIDAWEB/acdicida.nsf/En/REN-218131251-PH5>
- South African Institute of Environmental Assessment – www.saiea.com