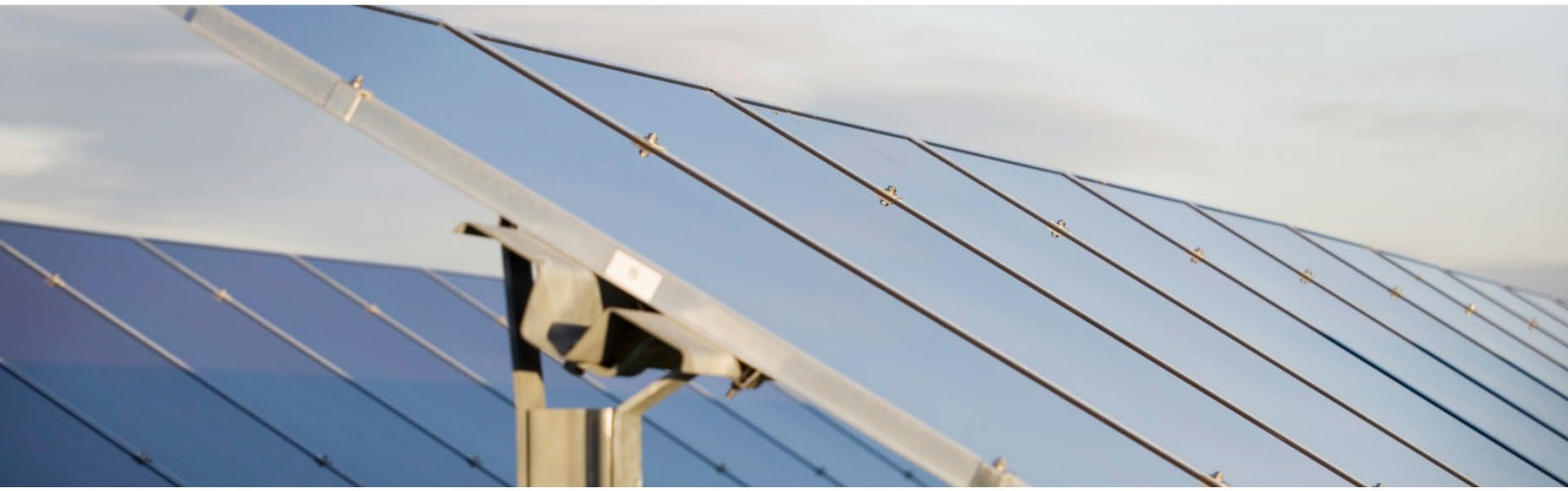
Guidelines for the Terms of Reference and Environmental Impact Statement



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FOREWORD

This document is a guideline and is subject to change. In all cases, proponents must ensure that the development complies with all applicable provincial and federal legislative and regulatory requirements and standards. Proponents must ensure that all applicable permissions and approvals are identified and obtained before starting construction.

This document has been prepared by the Environmental Assessment and Stewardship Branch, Ministry of Environment. Further information on environmental assessment is available on Saskatchewan.ca.

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ACRONYMS - GLOSSARY

the Act	*The Environmental Assessment Act*
ancillary projects	associated or related projects (e.g., pipelines, borrow pits, roads, treatment plants, water supply) whose planning, construction and or operation are outside the control of the development proponent (i.e., third-party ownership), but are essential to the development proceeding
CEA	cumulative effects assessment – analysis of the environmental changes caused by a new or expanded development in combination with other past, present or foreseeable human activities
CEAA, 2012	the now repealed *Canadian Environmental Assessment Act, 2012*, replaced by the *Impact Assessment Act* (IAA)
CO_2e	carbon dioxide equivalent units
COSEWIC	*Committee on the Status of Endangered Wildlife in Canada*
CPF	Government of Saskatchewan's *First Nation and Métis Consultation Policy Framework, June 2010*
cumulative impacts	residual effects on the environment (e.g., impacts that occur after mitigation measures have been implemented), combined with the environmental impacts of other past, present or reasonably foreseeable future projects or activities whose effects may interact with, or compound, the impacts of the proposed development
development	defined in section 2(d) of *The Environmental Assessment Act*
DTC	duty to consult - articulated in Saskatchewan's *First Nation and Métis Consultation Policy Framework* as follows: the Government of Saskatchewan will consult with and accommodate, as appropriate, First Nations and rights-bearing Métis communities in advance of decisions or actions which may adversely impact the exercise of: – Treaty and Aboriginal rights, such as the right to hunt, fish and trap for food on unoccupied Crown lands and other lands to which First Nations and Métis have a right of access for these purposes; and – traditional uses of lands and resources, such as the gathering of plants for food and medicinal purposes and the carrying out of ceremonial and spiritual observances and practices on unoccupied Crown lands and other lands to which First Nations and Métis have a right of access for these purposes
EA	environmental assessment – used interchangeably with EIA, but often indicating the conceptual process

EIA	environmental impact assessment - the process of assessing environmental impacts of a development
EIS	environmental impact statement - a written representation of the findings of the EIA
HABISask	*Hunting, Angling and Biodiversity Information of Saskatchewan* – search HABISask at saskatchewan.ca
HRIA	heritage resources impact assessment
IAA	*Impact Assessment Act* (Canada)
IAAC	Impact Assessment Agency of Canada
the Minister	Minister of Environment (Saskatchewan)
the ministry	Ministry of Environment (Saskatchewan)
proponent	person or organization that proposes a project or development
qualified person	as per the *Environmental Management and Protection Act, 2010* defines 'qualified person' as either a member of a class of persons set out in the Environmental Code or an individual designated by the Minister. Qualified persons are generally associated with a profession and/or professional body of practice. Examples may include: – an applied science technologist – a professional agrologist – a professional engineer/geoscientist – a professional forester
receptors	environmental components with the potential to be affected by the impacts of a project or development-related activity or event causing environmental stresses (the source)
right of access	First Nations and Métis communities can exercise their Treaty and Aboriginal rights to hunt, fish, and trap for food, and to carry out traditional uses on unoccupied Crown land including public water bodies, and on occupied Crown land where there is a right of access to engage in a specific activity. For example, a right of access for hunting will exist whenever licensed hunters are allowed onto occupied Crown land during hunting season. First Nations and Métis have no right of access on privately owned land or lands that are leased by the Crown for agricultural or other purposes. First Nations and Métis communities can only access these lands to exercise their rights and traditional uses with the consent of the owner or the lessee.
SARA	*Species at Risk Act* (Canada)

SEARP	Saskatchewan Environmental Assessment Review Panel - comprised of representatives from various provincial ministries and agencies with environmental and socioeconomic interests or responsibilities
SKCDC	Saskatchewan Conservation Data Centre
SOCC	species of conservation concern - those species that meet any of the following criteria: listed in the Saskatchewan Conservation Data Centre as extremely rare (S1) very rare (S2); a historic occurrence of the taxon, without recent verification (e.g., 20-40 years or older) (SH); believed to be extinct or extirpated from Saskatchewan (SX); listed in the *Wild Species at Risk Regulations* as endangered or threatened; listed in Schedules 1, 2 and 3 of the *Species at Risk Act*; recognized as being at risk by the Committee on the Status of Endangered Wildlife in Canada; and other sensitive species listed in the *Activity Restriction Guidelines* (ARGs) that may or may not meet the above criteria
stakeholders	landowners, community associations, municipal governments, regional planning agencies, environmental non-governmental organizations, special interest groups, or other parties who have an interest in the proposed development
TOR	terms of reference - identifies studies a proponent will undertake as part of an environmental impact assessment (EIA)
VC(s)	valued component(s) - environmental attributes identified as having legal, scientific, cultural, economic or aesthetic value

Purpose

This guideline provides information to assist proponents in developing a terms of reference (TOR) and environmental impact statement (EIS) for a proposed project determined to be a development pursuant to section 2(d) of *The Environmental Assessment Act* (the Act).

The TOR will outline the specific studies a proponent will undertake and the information to be obtained as part of an environmental impact assessment (EIA) for the development. The TOR will also identify how the information will be collected, presented and evaluated in the EIS. Following completion of the EIA, the proponent will compile findings in the EIS, where they will confirm and expand on the approach proposed in the TOR, or provide rationale for deviations, identify and assess the environmental effects of the development and propose measures to mitigate those effects.

A template providing guidance for TOR and EIS information requirements is provided in Appendix A to serve as a general starting point for the two documents. Proponents should proceed with conducting their EIA after receiving ministry approval for the TOR. The approved TOR and, following completion of the EIA, the final EIS will be posted at Saskatchewan.ca.

Requirement for EIA in Saskatchewan

In Saskatchewan, the proponent of a project considered to be a development pursuant to section 2(d) of the Act requires ministerial approval before proceeding with the development. Figure 1 provides an overview of the environmental assessment (EA) process. This guideline focuses on the scoping and impact assessment steps of the process.

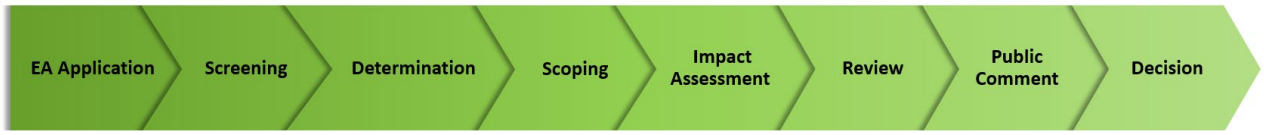

Figure 1. Environmental Assessment Process Overview

General TOR Requirements

Proponents will submit an electronic copy of their draft TOR to the ministry to undergo technical review by the Saskatchewan Environmental Review Panel (SEARP), whose members represent provincial ministries and agencies with an interest or regulatory role in development. The ministry will work with the proponent to ensure that the TOR includes all pertinent biophysical, socio-economic and cultural topics, many of which are identified in the annotated template in Appendix A. Additional or fewer topics may be included, depending on their relevance to the development and location.

Proponents should provide sufficient detail in the TOR for the ministry to confirm that the information and methodologies for carrying out an EIA proposed by the proponent are appropriate. You may reference standard ministry methodologies in the TOR, but need not restate in detail, except to note any anticipated deviations from the cited methodology. If the ministry requires additional information, proponents will be asked to submit a revised TOR.

General EIS Requirements

The proponent of a proposed development must conduct an EIA and submit a draft EIS to the ministry addressing the topics outlined in the TOR, as well as any additional matters that may be relevant. Time and effort should be directed to data collection and interpretation related to the most significant impacts identified in the TOR. Number and clearly label pages and sections for reference purposes, and use uniquely titled maps and figures complete with legends, reference scales and north arrows to enhance interpretation of information presented in the EIS. Details of non ministry-standard methodologies actually used to carry out the EIA must be provided in the EIS. Additionally, explain any deviations from ministry standards.

The draft EIS submission is to include the following digital files:

- Draft EIS document in both unsecured PDF **and** PDF-A formats.
- GIS shapefiles and legends, provided in NAD 1983 CSRS98 UTM zone 13N, for all information with a spatial context and for which GIS analysis improves the understanding of development impacts. These files will usually delineate:
    - the development area, components and ancillary infrastructure (alternatives shown as appropriate);
    - the local and regional study area boundaries;
    - topography and soils;
    - vegetation cover types;
    - vegetation and species survey transects/plots/points/polygons, especially in native habitats;
    - locations of any SOCC detected during field surveys;
    - locations of previously known SOCC from HABISask/SKCDC located within the development area plus a one-kilometre buffer (show buffer as separate zone); and
    - locations of trail cameras, weather stations or other automated recording devices used for data collection.

The draft EIS will undergo technical review by the ministry and SEARP. Where adjustments are required, the proponent will be asked to revise the EIS and a final version will be distributed and posted for public comment on the government's website. The final version of the EIS is to be

submitted in both unsecured PDF and PDF-A formats and, where necessary, divided into chapters/sections **no larger than 120 megabytes each**. One hard copy version of the final EIS will be required. Spatial files are to be updated as necessary to be consistent with the final EIS.

Confidentiality

The TOR and EIS are considered public documents. Proponents need not include personal or proprietary financial or technological information not required to understand and evaluate the impacts of the development on the environment in the documents. If proprietary information needs to be included to provide the ministry with a complete understanding of the development impacts, the proponent can apply in writing providing the rationale to have the sensitive information remain confidential. Proponents should be aware that the information may still be subject to an Access to Information request under *The Freedom of Information and Protection of Privacy Act*.

The EA Decision

The Minister will consider the finalized EIS and any public and technical review comments in making the decision of whether to approve the proposed development. Should the proposed development be approved, the proponent must comply with all terms associated with the EA approval and any other applicable legislation and regulatory requirements. Proponents are responsible to apply to municipal, provincial and federal regulatory agencies for the required permits, licenses and approvals that regulate the construction and operation of their development.

When developments undergoing an EIA have the potential to adversely impact Treaty and Aboriginal rights and exercise of traditional uses, the ministry will consult in accordance with the Government of Saskatchewan's *First Nation and Métis Consultation Policy Framework* (CPF). The Minister will consider the adequacy of the consultation record and the outcomes of consultation prior to making a decision regarding the development.

Federal and Provincial Cooperation

Developments in Saskatchewan may, in addition to the provincial process, occasionally be subject to the federal *Impact Assessment Act* (IAA). The provincial and federal governments have independent, legislated decision-making processes. Transition provisions of the IAA allow developments that were designated as comprehensive studies or had a notice of commencement of an EA initiated under the previous *Canadian Environmental Assessment Act, 2012* (CEAA, 2012) and posted prior to the IAA coming into force, to continue to be assessed under CEAA, 2012.

Where a development requires review under both pieces of legislation, the ministry will coordinate with federal agencies to ensure regulatory duplication is minimized where possible. In particular, a single EIS will generally satisfy both the provincial and federal assessment processes, provided the document addresses all requirements of both parties. The province shares the TOR with the relevant

federal agencies, thus providing an opportunity for early identification of any information requirements that may be unique to the provincial or federal processes.

Contact Information

For more information on Saskatchewan's EA process, please search for key words Environmental Assessment Process at Saskatchewan.ca. Environmental Assessment and Stewardship Branch staff are available to advise on any matters related to EA in Saskatchewan. For further information, please contact:

Applications Manager
Environmental Assessment and Stewardship Branch
4th Floor, 3211 Albert Street
Regina, SK S4S 5W6
Phone: 306-787-6190
Email: environmental.assessment@gov.sk.ca

Appendix A – TOR and EIS Guidance

This template is a guide and should not be considered either exhaustive or restrictive. Proponents are required to build upon the sections in this template relevant to their specific development in order to identify all information necessary for conducting the EIA and preparing the EIS. The TOR should contain sufficient detail about the type of information that will be collected and the proposed methods of obtaining and analyzing that information to allow reviewers to comment on the adequacy of the proponent's approach to carrying out the EIA. Early identification of potential environmental, data or methodological issues may help to avoid delays later in the EA process. Provide high level, generalized information about the development and site based on existing information in the TOR, as needed for context. Detailed, site-specific information and analysis will be required in the EIS.

Numbered headings and subheadings can be used as a table of contents for the TOR and a starting point for a table of contents for the EIS. Alphabetized bullets in the columns labelled "**TOR Information Required**" and "**EIS Additional Information Required**" are an indication of the nature and level of detail of information expected in the TOR and EIS for each heading and subheading. The bullets in columns are alphabetized for reference purposes and may or may not be related between columns.

Take care to avoid repeating information unnecessarily among different sections. Where ministry documents and guidelines are cited, use the exact name of the document and include them in the reference section. Keep references to ministry documents brief within the body of the TOR or EIS; it is not necessary nor desirable to quote extensively from standard ministry references.

Please note, the ministry may ask proponents for additional information in response to concerns identified at any point during the EA process, including during technical and public review of the EIS. Contact the ministry for advice and assistance when needed throughout the EA process.

1. Executive Summary

The body of the EIS will provide the detailed information and analyses used to support conclusions regarding the potential for impacts of the development on the environment. As the EIS will be made available for public review, an executive summary, written in plain language that can be understood by the general public, must accompany the body of the EIS and provide a succinct summary of the development, impacts, mitigations and key conclusions of the EIS.

Table 1. Executive Summary	
TOR **Information Required**	**EIS** **Additional Information Required**
a) brief description of the development's purpose, product or service	e) succinct stand-alone summary of the EIS written in plain language
b) location of the development in the province	f) map of the development site referenced to its location in the province
c) land ownership structure, for example, private or Crown by type (e.g., Agricultural, Environment, Water Security Agency, Parks, federal)	g) map indicating the development footprint and its components, study boundaries, land ownership and key receptors
d) brief indication of anticipated key environmental impacts	h) brief, easily understood descriptions of key development components, valued components (VCs), major impacts and mitigation, any ancillary projects, and conclusions

2. INTRODUCTION

This section of the TOR and EIS establishes the context and rationale for the development and outlines the potential regulatory requirements. While it is the proponent's responsibility to ensure all necessary regulatory requirements are met, the more complete the listing in the TOR and EIS, the more likely reviewers will be able to bring omissions to the proponent's attention.

Table 2. Introduction		
	TOR **Information Required**	**EIS** **Additional Information Required**
2.1 ***THE PROPONENT***		
	a) legal ownership of the development and contact information	c) the business number of the legal entity
	b) primary individual with which the ministry will interact	d) location of the head and/or regional offices
		e) corporate management structure and a copy of the Corporate Profile report from Information Services Corporation in an appendix
		f) environmental standards certifications
		g) key personnel, contractors/sub-contractors and their qualifications

Table 2. Introduction		
	TOR **Information Required**	**EIS** **Additional Information Required**
2.2 ***Development Justification***		
	a) a brief statement of societal positives and negatives of the proposed development	b) detailed analysis of the benefits expected to accrue for the proponent, local and regional communities and Saskatchewan, including jobs created, local training, employment and business opportunities
2.3 ***Land Controls***		
	a) a brief statement of current and anticipated land controls	b) detailed accounting of land controls for the development, including land use plans, bylaws, subdivision approvals, leases, mineral rights and zoning
2.4 ***Regulatory Requirements***		
2.4.1 Provincial and Federal Assessment Legislation		
	a) a summary of the development elements/impacts that triggered the provincial EIA	c) updated table of applicable provincial and federal assessment legislation with specific rationale and sections
	b) applicability of provincial and federal assessment legislation and the reasons	d) rationale provided by regulators for EIA requirement
		e) status of a federal impact assessment, if applicable to the development
2.4.2 Other Legislation, Guidance or Constitutional Requirements		
	a) table of other applicable legislation, regulation, approvals, standards, codes of practice, guidelines, policies or constitutional requirements (e.g., duty to consult)	c) updated table of other regulations, guidance or constitutional requirements applicable to the development including permits, approvals and letters of permission or endorsement, indicating dates or permit/reference numbers
	b) applicable municipal bylaws and required approvals	d) table of approvals and permits that remain outstanding and a note on their status
		e) provincial/federal triggers of the duty to consult First Nations and Métis communities

3. Description of Development

If a detailed technical project proposal has been provided to the ministry for screening, the TOR need only contain brief descriptions of the proposed development, with guidance for reviewers to refer to the attached proposal for further details. Where a technical proposal does not exist, sufficient detail about the proposed development will be required in the TOR, so that reviewers can

determine if the proposed information needs and methodologies will be adequate to inform the EIS. This will also help the proponent be more confident they will conduct a thorough EIA and their resulting EIS will require fewer revisions.

Complete detailed descriptions will, however, be necessary in the EIS, as it is considered a stand alone document that must contain all information relevant to the EA decision.

Table 3. Development Description

	TOR Information Required	EIS Additional Information Required
3.1 ***Siting***		
	a) the approach that was/will be taken to site selection and key considerations	b) township/range and/or universal transverse Mercator (UTM) coordinates of the main development site
		c) coordinates of endpoints for linear developments
		d) current land uses in the area
		e) land ownership (e.g., private, Crown), including any access limitations and how these will be identified (e.g., fencing, signage)
		f) the environmental significance and value of the geographical setting in which the development will take place, including proximity to sensitive air and water receptors, national, provincial and regional parks, ecological reserves, ecologically sensitive areas and known habitats of federally or provincially listed SOCC
		g) description and locations of all surface water or groundwater sources and municipal or private drinking water sources
		h) communities and notable industries in the vicinity of the development site
		i) identification of First Nations and Métis communities, including those outside of Saskatchewan but in geographic proximity to the development
		j) culturally important features of the landscape

Table 3. Development Description		
	TOR **Information Required**	**EIS** **Additional Information Required**
3.2 ***Infrastructure***		
	a) brief description of key infrastructure components required by the development and who the proponent(s) will be (e.g., development proponent, Crown utility)	b) detailed description of all on-site components of the development and associated off-site infrastructure (e.g., production and processing facilities, waste handling facilities, water management infrastructure, transportation infrastructure, gravel/borrow sources)
3.3 ***Activities***		
3.3.1 General		
	a) proposed timeline for key development activities by phase including on-site environmental monitoring and installation of monitoring and domestic waste management equipment	b) development scheduling by phase, including a Gantt chart or similar illustration, showing the proposed development timelines
		c) information regarding potential future expansions of the development area to end of life
3.3.2 Site Preparation and Construction		
	a) listing of key activities associated with the phase, for example: • vegetation removal • grading and excavation • shoreline alterations and wetland drainage • site water management and impoundment construction • excavation or introduction of borrow and gravel materials • blasting • fencing • road construction • material storage • building construction • construction of development infrastructure, shafts or pits • installation of utilities • equipment maintenance • transportation and housing of employees • storage of hazardous materials	b) detailed descriptions of the nature and locations of all activities a phase, focusing particularly on those likely to create ecological, social or economic disturbances

Table 3. Development Description		
	TOR **Information Required**	**EIS** **Additional Information Required**
		c) summary of any substantive changes made to this phase of the development relative to the technical proposal or TOR
3.3.3 Operation		
	a) list of key activities associated with the phase, for example: • product extraction, stockpiling and processing • drilling and blasting • seismic profiling • management and disposal of production wastes (e.g., tailings, overburden, air emissions, process water) • storage, handling and transport of hazardous materials, including explosives • water management including process water, storm water, wastewater, water recycling, source of potable water and effluent treatment • workforce health and safety, transportation, work schedules and lodging	b) detailed descriptions of the activities occurring in the phase, focusing particularly on those likely to create ecological, social or economic disturbances
		c) a summary of any substantive changes made to this phase of the development relative to the technical proposal or TOR

Table 3. Development Description		
	TOR **Information Required**	**EIS** **Additional Information Required**
3.3.4 Decommissioning and Reclamation		
	a) list of key activities associated with the phase, for example: • transfer of ownership and control of development components • removal of surface decontamination from facilities and equipment • decommissioning well heads and pipelines • dismantling and removal of equipment • demolition of buildings and other structures • long-term care, monitoring and maintenance of the site and any remaining structures • transfer of fuel and associated wastes to interim and long-term permitted/licenced storage facilities • reclamation of terrain and vegetation	b) **conceptual** decommissioning and reclamation plan, focusing particularly on those elements addressing important ecological, social or economic impacts likely to result from the development, including: • decommissioning objectives and timeframes for all components • potential for consultation with First Nations and Métis communities regarding decommissioning • preferred methods for decommissioning • progressive decommissioning and reclamation activities, if appropriate • alternative procedures for decommissioning site facilities • environmental impacts of mitigation and reclamation measures • identification of acceptable post-operational land use options for the site • long-term institutional control measures proposed for the site, if required • identification of monitoring required to manage potential short term, long term and permanent impacts following decommissioning and reclamation • proposed contingency measures

Table 3. Development Description		
	TOR **Information Required**	**EIS** **Additional Information Required**
3.4 ***Inputs and Outputs***		
3.4.1 Products		
	a) identification of key intended product(s) or service(s)	b) complete characterization of all intended product(s) or service(s) in sufficient detail to assess the potential impact they may have on environmental VCs
3.4.2 Resource Use		
	a) identification of the key primary resources (e.g., ore, petroleum, wind) and secondary resources (e.g., power, energy, water for processing) required to make the intended products or services generated by the development	b) detailed description and quantification of the primary and secondary resources that will be required to make the intended products or services
3.4.3 By-Products, Reagents and Emissions		
	a) identification of the key components of the development's waste streams and air emissions	b) the fate and complete characterization of amounts and rates of: • solid and liquid wastes • waste process water • runoff water • other site water (e.g., from dewatering) • air emissions (including greenhouse gases and CO2e) • dust
		c) information about known hazards and toxicity associated with each element or compound and compare expected levels to relevant guidelines
3.4.4 Sensory Outputs		
	a) identification of key acoustic, visual, olfactory and vibrational outputs in the context of allowable standards	b) anticipated levels of sensory outputs by distance from the development site during all phases of development and comparison to relevant guidelines
3.5 ***Alternative Means of Carrying out the Development***		
	a) key parameters/methodology for analysis of alternatives and selection of preferred approach	c) consider best available technologies in determining and justifying selection of the preferred alternatives

Table 3. Development Description		
	TOR **Information Required**	**EIS** **Additional Information Required**
	b) list of parameters for which alternatives will be examined in the EIS, for example; site selection, design and layout, waste and emissions, water use, management, energy use, water management, decommissioning and reclamation	d) brief descriptions of each proposed alternative in sufficient detail to evaluate the potential environmental, social and economic effects, and impacts on Treaty and Aboriginal rights and traditional uses
		e) maps showing land cover on which the alternatives are overlaid
		f) criteria used to evaluate the environmental soundness and determine technical and economic feasibility of possible alternative means
		g) stakeholder and engagement feedback on each alternative

4. Interest-Based Engagement

Interest-based engagement is an important part of the EA process. Beginning early in the EIA process, the proponent is expected to share details of the development and actively solicit stakeholder and First Nations and Métis community feedback regarding potential issues, interests and concerns through meetings and/or open houses in local communities. Additional guidance on engagement can be found in the *Proponent Handbook: Voluntary Engagement with First Nations and Métis Communities to Inform Government's Duty to Consult Process* available at Saskatchewan.ca.

The general public, stakeholders, and First Nations and Métis communities will be provided with an opportunity to comment on the final EIS and technical review comments prepared by the ministry. The Minister will consider comments when making a decision. You can find posters on public participation in Appendix C, to be displayed at public engagement events.

Table 4. Interest-Based Engagement Plan	
TOR **Information Required**	**EIS** **Additional Information Required**
a) a plan outlining the interest-based engagement activities to be undertaken	d) dates, locations and attendance numbers for all engagement events

Table 4. Interest-Based Engagement Plan	
TOR **Information Required**	**EIS** **Additional Information Required**
b) identification of groups to be engaged, including landowners, community associations, municipal governments, First Nations, Métis communities, regional planning agencies, businesses and special interest groups	e) concerns raised at each event, the immediate response by the proponent (if applicable) and the measures proponents propose to address the concerns
c) methodology for acquiring feedback on potential issues, interests, VCs and concerns related to the development	f) indication, throughout the EIS, of how local knowledge was used to assess impacts and develop mitigation
	g) identification of stakeholders, interested persons or organizations that wish to be notified directly for the formal 30-day public review period
	h) plans for future engagement activities
	i) a complete communication log including dates, places, participants, nature of communication (e.g., email, meeting, phone call), key topics addressed and outcomes

5. First Nation and Métis Consultation Plan

Where developments are proposed on Crown lands available for the exercise of Treaty and Aboriginal rights and traditional uses, government's DTC will be triggered. Proponents should self assess if their development is likely to trigger a DTC and, where it does, develop a plan to engage with First Nations and Métis communities. For more information on DTC in relation to a proposed development, please refer to the *Proponent's Guide: Consultation with Métis and First Nations in Saskatchewan Environmental Impact Assessment* and the Government of Saskatchewan *First Nation and Métis Consultation Policy Framework* available at Saskatchewan.ca.

While the Government of Saskatchewan is responsible for fulfilling the DTC, the ministry often assigns procedural aspects of the DTC process to the proponent to carry out during conduct of the EIA. The proponent is best positioned to explain the potential impacts of the development and work with communities to understand how to mitigate or accommodate for those impacts. Associated costs are also the proponent's responsibility.

Once procedural aspects have been assigned, proponents are responsible to consult with those First Nations and Métis communities specifically identified by the ministry. As government does not have a comprehensive knowledge of traditional territories, consultation is required with communities geographically proximate to the development area, whose traditional territories are expected to

coincide with the geographic area where the adverse impact would occur. However, in some situations, consultation could be extended to more distant communities, if they confirm contemporary use of the area for the exercise of rights and traditional uses. Proponents are required to communicate directly with the communities they are consulting with, or their authorized delegate, when collecting information on contemporary use of the land for the exercise of rights and traditional uses.

As it is reasonable to expect that this may take time, proponents should reach out as early in the process as possible to understand the communities' consultation needs and to gather relevant ecological, traditional or other knowledge that will inform the selection of appropriate VCs for impact assessment. Information may be obtained through community meetings, site visits and by providing the opportunity for the community to gather information on how members are using the land for the exercise of Treaty and Aboriginal rights in the development area. The approach to collecting and sharing information in a culturally appropriate manner is developed in consultation with each potentially impacted community. Where communities do not wish to share information on their contemporary use of the land to hunt, fish, trap, and carry out traditional uses, the proponent can share what they know from their field studies of the area, and ask the community to confirm or provide additional information.

Proponents are asked to maintain communication with the ministry throughout the EIA to help to avoid any unnecessary delays in the EA process. Prior to submitting the EIS to the ministry, the proponent is to provide each community an opportunity to comment on the draft consultation report. Community comments received in response to the draft must be included in the consultation report section of the EIS. During review of the draft EIS, the ministry will share relevant consultation information back with the respective communities and ask that they confirm its accuracy and provide any additional concerns.

Table 5. First Nation and Métis Consultation Plan	
TOR **Information Required**	**EIS** **Additional Information Required**
a) a plan for consulting with potentially impacted First Nations and Métis communities that captures the assigned procedural aspects of consultation	c) summarize the following information in this section of the EIS: • how information about the development was effectively communicated to communities • how traditional knowledge was collected during the EIA • key traditional use information gathered from First Nations and Métis communities • a complete communication log including dates, places, participants, nature of communication (e.g., email, meeting, phone call), key topics addressed and outcomes • plans for future engagement activities for the life of the development
a) the plan should include: – a list of First Nations and Métis communities to be consulted – consultation objectives – a general description of the proposed consultation process, including a commitment to work with each community to develop a mutually acceptable approach for exchanging development-specific and traditional use information – potential tools and methods for acquiring feedback on adverse impacts to the exercise of Treaty and Aboriginal rights and traditional uses in the development area, along with other issues, interests and concerns related to the development – strategies for maintaining records and reporting back on consultation activities to communities and the ministry	e) the above information should be further analysed in detail in Section 10 **Effects on First Nations and Métis Communities – Consultation Report**.

6. EIA Boundaries

The spatial boundaries of an EIA must reflect the geographic range where the development's environmental impacts may occur. It is expected that the spatial boundaries may vary for different environmental components, depending on the nature of the predicted effects. When establishing

spatial boundaries, proponents must consider all relevant components of the environment, including people, biota, land, water, air and other aspects of the natural and human environment. Categorize spatial boundaries as follows:

Development Area (footprint) – The area within which construction, operation, development activities, decommissioning or abandonment takes place. Details would have been provided in the development/site description section. Includes, but may not be limited to, the surface lease area.
Local Study Area –The area beyond the development area boundary where there is a reasonable potential for the occurrence of direct environmental development-related impacts on environmental components.
Regional Study Area – The area where there is reasonable potential for indirect and/or cumulative development-related impacts on environmental components.

Temporal boundaries represent the time period when the development's environmental impacts may occur. Temporal boundaries cover all phases of the development and take into consideration anticipated ongoing residual and cumulative effects extending beyond closure of the development.

Table 6. EIA Boundaries

	TOR Information Required	EIS Additional Information Required
6.1 ***Spatial Boundaries***		
	a) extent of development area boundary	c) detailed methodology and rationale used to delineate each study area, including those specific to individual environmental components
	b) the proposed approach to defining the EIA's local and regional study areas, taking into account: • component-specific study areas, if anticipated • known sensitive receptors • land use by wildlife and humans • potentially impacted local and regional services and infrastructure • necessary ancillary projects • existing development • potentially affected local First Nations and Métis communities and their areas of use for the exercise of rights and traditional uses	d) appropriately scaled and clearly labelled maps and GIS shapefile(s) showing the study areas and development area in relation to nearby communities and other existing or planned developments
		e) areal extent in hectares of the final spatial boundaries used in the EIA

Table 6. EIA Boundaries		
	TOR **Information Required**	**EIS** **Additional Information Required**
6.2 ***Temporal Boundaries***		
	a) methodology for determining the temporal boundaries of the EIA, taking into account: • how development effects could change over time for different environmental components • duration of different residual effects • interactions with other environmental effects • landscape disturbances (e.g., fire, weather, flood) • anticipated future development, land use and demographics • ancillary projects	b) definitions of the temporal boundaries delineated for the EIA
		c) detailed methodology and rationale used to define the temporal boundaries, including those specific to individual environmental components and cumulative effects

7. Existing Environment

A key objective of the EIA is to provide information to support the identification of potential environmental impacts and appropriate mitigation measures, and to inform decision-making on the acceptability of a development. Solid baseline is essential to good EIA practice. Characterization of the existing environment in which a development will be sited provides a basis for assessing the significance of immediate and long-term impacts of the development. Baseline information also serves as a reference point for monitoring changes resulting from the development over time. The environmental components included in Section 7 of the TOR/EIS template serve as a guide only, and should be tailored to the potential impacts of the development.

While the collection of certain baseline information is essential for carrying out an assessment of the development's impact on the environment, it is not necessary to provide detailed descriptions of environmental components that could not potentially be impacted by the development. For example, expansive description of the flora and fauna of the ecoregion in which a development occurs is usually unnecessary. Only the species found in the defined study areas generally have the potential to be affected.

Collect information for the EIA using standard government protocols, where available. If an existing ministry protocol is not used, the alternative method chosen must be scientifically defensible,

described in detail and approved by the ministry in advance of data collection. Consider spatial and temporal boundaries for the EIA (Section 6) when planning baseline data collection. Provide rationale where data for different environmental components is collected from within different boundaries. Use existing data where it is relevant and obtained using acceptable protocols; however, you must provide rationale for using pre-existing data not specifically collected for the development. All biological and time sensitive data should be less than two years old, unless otherwise approved by the ministry. Raw data supporting conclusions in the EIS must be made available to the ministry, should it be requested.

Data submissions associated with a research permit (i.e., Species Detection Loadforms) must be submitted to the Fish, Wildlife and Lands Branch three weeks in advance of an EA submission. This ensures the ministry has adequate time to complete a review of survey standards, methods and results associated with any research permit. For more information on data submission files and standards, please search "Wild Species Research Permitting" at Saskatchewan.ca or contact *SD.researchpermit@gov.sk.ca*.

For Section 7.5 First Nations and Métis Land Use, the overall approach to gathering information is to be guided by the proponent's *First Nation and Métis Consultation Plan* (Section 5).

Table 7. Existing Environment

	TOR Information Required	EIS Additional Information Required
7.1 ***General Requirements***		
	a) outline of baseline information to be collected during the EIA and proposed timeline	c) concise textual description of baseline conditions and important conclusions
	b) reference to specific government survey protocols or brief description of and rationale for proposed methodologies to be used for data collection and characterization	d) identification of the government protocols or detailed descriptions of the alternative methodologies used to design and carry out baseline data collection
		e) tables or diagrams summarizing key data, as appropriate

Table 7. Existing Environment		
	TOR **Information Required**	**EIS** **Additional Information Required**
7.2 ***Biophysical***		
7.2.1 Topography and Soils		
	a) brief overview of existing information for the topography and soils in the development area	c) description, map and shapefile (or reference to widely available data) of land forms and soil classification in the study area
	b) identification of known characteristics (e.g., easily eroded, saturated) or soil pathogens that may require special mitigation or management plans	d) topsoil and overburden depths and characterization relative to salvage and reclamation potential
		e) special management and conservation measures required due to specific soils and topography
7.2.2 Flora		
	a) current landcover and land use in the area	c) characterization of each of the distinct aquatic and terrestrial vegetation communities in the development area, providing, at a minimum, for each type: • estimate of % visual cover for each of the dominant three native species • estimate of % visual cover for each of the dominant three non-native species • estimate of % visual cover for invasive or noxious species; • list of the most prevalent 5-10 secondary species • list of any unusual or relevant indicator species
	b) identification of known sensitive habitats, noxious and prohibited weed infestations or culturally sensitive plants	d) list of each SOCC detected and their population sizes, and detected noxious and prohibited weed infestations
		e) labelled map and shapefile of each distinct vegetation type
		f) list of identified traditional foods or medicinal plants

Table 7. Existing Environment		
	TOR **Information Required**	**EIS** **Additional Information Required**
7.2.3 Fauna		
	a) brief overview of known wildlife management challenges or sensitivities in the area	c) characterization of the aquatic and terrestrial animal populations in the study areas with focus on species likely to be impacted, and considering factors such as: • –population sizes and dynamics • –habitat requirements • –life stage and seasonal requirements • –migratory status • –species interdependencies • –behavioural sensitivities (e.g., human presence, noise, habitat disturbance)
	b) known use of wildlife resources that may be impacted by the development, potentially requiring engagement and mitigation	d) depending on siting and impacts, species' presence, population size, composition and distribution
		e) presence of invasive wildlife species, quantified if the development is likely to cause additional spread
		f) importance of wildlife to traditional uses
		g) map and shapefile of key findings (e.g., potentially impacted dens, burrows, roosts, dancing grounds, spawning habitat)

Table 7. Existing Environment		
	TOR **Information Required**	**EIS** **Additional Information Required**
7.2.4 Species of Conservation Concern		
	a) provide HABISask Project Screening Report for the proposed development study area buffered by one kilometer	c) summaries of SOCC detected during field surveys provided in tabular format identifying each species, their scientific name, local population size, federal and provincial status
	b) identify any known species that may require additional investigation and mitigation	d) labelled map and shapefile with point locations for all observed SOCC individuals or populations overlaid with historic locations of SOCC from HABISask
		e) identification of critical habitat or habitat avoidance zones (e.g., woodland caribou range, Wildlife Siting Guidelines for Saskatchewan Wind Energy Projects) in the local and regional study areas
7.2.5 Surface Water		
	a) identification of major water bodies in the development area	c) delineation and classification of wetlands, streams, rivers and lakes
	b) brief indication of any key interactions between the development and water bodies in the area that may require further investigation and possible mitigation	d) identification of surface water users within the regional study area and map and shapefile (or reference to widely available data) of locations
		e) maps indicating potentially impacted surface waters in the context of the watersheds, drainage basins, water flow direction and type of impact
		f) key surface water uses including community, residential, agricultural, industrial, recreational, and commercial fishing
		g) identification of surface waters potentially directly or indirectly impacted by the development
		h) hydrology of surface waters, including key seasonal flow rates and existing water works
		i) total surface area, maximum and mean depths and water level fluctuations for each water body potentially impacted by the development

Table 7. Existing Environment		
	TOR **Information Required**	**EIS** **Additional Information Required**
		j) chemistry of key water bodies potentially impacted by release of run-off, dewatering activities, process water, tailings decant or other by-products of the development
		k) locations of each baseline water sample
7.2.6 Groundwater		
	a) identification of major groundwater aquifers in the development area	c) identification and mapping of key hydrostratigraphic units, including depth to aquifers and aquitards
	b) brief indication of any key interactions between the development and groundwater that may require further investigation and possible mitigation	d) physical properties of hydrogeological units (e.g., hydraulic conductivity, storativity, transmissivity)
		e) historic (where available and relevant) and current groundwater chemistry of all units
		f) horizontal and vertical groundwater flow directions, rates and trends
		g) list and map of groundwater receptors potentially impacted by the development
		h) list and map groundwater wells within areas potentially impacted by the development
		i) where risk of groundwater contamination is likely, identify and map areas of groundwater to surface water interactions
		j) identify and map groundwater monitoring wells and test holes, providing relevant construction, hydrostratigraphic and piezometric data
7.2.7 Geology and Geochemistry		
	a) high-level description of the major geological formations underlying the development site	c) site lithology including sediment types and thickness of layers
	b) identification of known potential issues that may require further investigation and mitigation	d) bedrock and host rock chemistry relevant to the development
		e) discussion of acid-forming and metal-leaching potential of disturbed rock, especially if processed or stored on surface

Table 7. Existing Environment		
	TOR **Information Required**	**EIS** **Additional Information Required**
		f) short to long-term potential for fracturing, landslides or subsidence
7.2.8 Atmospheric and Sensory Environment		
	a) proximity of development to communities or other known sensitive environmental features	c) characterization and distance to site of key receptors for air quality and sensory disruptions
	b) identification of likely atmospheric and sensory impacts that may require further investigation and mitigation	d) baseline ambient air constituents within the development area, study areas and airshed likely to be impacted, including particulates, toxic pollutants and greenhouse gas emissions
		e) current provincial, territorial and federal limits for GHG emission targets and applicability of federal and provincial emission reporting and performance threshold programs
		f) ambient daytime and nighttime noise levels at key receptor points
		g) visual interferences (e.g., glare, reflections)
		h) ambient nighttime light levels at key receptor points
7.3 ***Social, Economic and Health***		
	a) proximity of development to communities	c) identification of potentially affected populations and particularly sensitive or vulnerable subsets of populations
	b) potential for development activities to put additional pressure on local infrastructure or lifestyle	d) current levels of air or water contaminants detrimental to human health
		e) current status of community services that may be impacted by the development
		f) current levels of employment, income and education that may be altered by the development
		g) current levels of access into the region for local residents and traditional users
		h) current and reasonably near future land use in the study areas
		i) current regional food security

Table 7. Existing Environment		
	TOR **Information Required**	**EIS** **Additional Information Required**
		j) identification and levels of harvesting of traditional foods
7.4 ***Archaeology and Heritage***		
	a) brief description of landscape features or heritage resources known to the proponent that may require further investigation	b) results of screening by the Heritage Conservation Branch (HCB) regarding the need for a Heritage Resource Impact Assessment (HRIA) c) if an HRIA was required, a description of historical, archaeological, paleontological, cultural or spiritual resources found in the study area, discussion of their significance and any necessary mitigation for impacts d) permit numbers and copies of clearance letters from HCB, if applicable
7.5 ***First Nations and Métis Land Use***		
	a) identification of First Nation and Métis communities using the site or located within 100 km of the development	c) confirmation that the activities specified in the letter assigning procedural aspects of the duty to consult to the proponent were conducted
	b) identification of development site land ownership and current access	d) map showing the development area, local and regional study areas, extent of the lease area relative to the location of First Nation Reserves and Métis communities (represented by Métis Nation – Saskatchewan or the Métis Locals)
		e) summary of contemporary use of the area for the exercise of rights and traditional uses
		f) copies of traditional use studies, or any other maps showing important hunting, fishing, trapping, gathering, spiritual, cultural, burial locations and access routes the community has provided
		g) identification of environmental attributes and species important to the exercise of rights and traditional uses
		h) timing, duration and frequency of traditional practices
		i) access and travel routes used for exercising rights practicing traditional uses

8. Valued Component Selection

The assessment of scope and magnitude of development impacts on the biophysical and socio-economic environment should focus on valued components (VCs) that have the potential to be affected and are susceptible to change as a result of development-related activities. The assessment must include the potential for cumulative effects on the VC in conjunction with other past, present or reasonably foreseeable future projects or activities in the area.

Select and justify VCs identified in the TOR based on ecological importance, societal value or sensitivity of the environmental component to proposed development effects. The significance and susceptibility of VCs will be informed by gathering information from scientific literature, local communities, First Nations and Métis communities, regulators and stakeholders, as well as any available area planning resources (e.g., municipal or provincial land use plans or the local environmental committees).

Consider SOCC identified from baseline data and, if screened out during VC selection, provide justification. Social, cultural or economic VCs can include activities or sites of social and cultural importance, medicinal herbs, traditional foods, land and resource use, community interests or indicators of community well-being and quality of life.

VCs for the biophysical environment may include, but are not limited to:

- air quality and potentially effected air receptors;
- groundwater and surface water quality and quantity as well as potentially effected water users and receptors;
- landform/topography;
- health of aquatic systems and wetlands;
- flora;
- fauna and habitat features (e.g., nest trees, hibernacula, burrows, staging areas);
- SOCC;
- availability of big game for traditional and recreational hunting;
- traditional plants used for food, ceremonial and medicinal purposes;
- climate (e.g., impacts of GHGs from industrial emissions and disruption of carbon sinks);
- acoustic and visual environment; and
- soil health.

VCs for the socio-economic and cultural environment may include, but are not limited to:

- heritage resources;
- traditional lifestyle (e.g., farming, ranching, wilderness living);
- landscape aesthetics;
- access for traditional land uses;
- safety and preservation of traditional foods and medicinal plants;
- safety of agri-foods;

- conservation of grazing resources and soils;
- spiritually and culturally important sites;
- human health and safety as influenced by environmental changes; and
- economic well-being.

Table 8. Valued Component Selection

TOR Information Required	EIS Additional Information Required
a) proposed criteria for selection of VCs other than those of importance to First Nation and Métis communities, which should be selected in consultation with the communities according to section 5	c) refined list of VCs based on anticipated development impacts and local and traditional knowledge gathered throughout the EIA
b) preliminary list of VCs (except for those to be determined with First Nation and Métis communities) to be considered in the EIA	d) final methodology used to select VCs and the rationale for additions or omissions to the list identified in the TOR
	e) importance of specific VCs to the public, stakeholders, and First Nation and Métis communities
	f) link between VCs and potential development effects

9. Effects Assessment

Subsection *9.1 Predicted Changes to the Environment* addresses predicted changes to the existing environment expected as a consequence of development siting, infrastructure, activities, inputs and outputs. In turn, subsection *9.2 Assessment of Effects on Valued Components* (VCs) identifies the predicted effects that environmental changes are expected to have on VCs. Each subsection of sections *7. Existing Environment* and each VC identified in *8. Valued Components Selection* should be addressed in this section.

Where adverse impacts to VCs are identified, mitigation is required to avoid or minimize adverse effects. Avoidance, through development redesign or relocation should always be considered first, followed by minimization throughout design, construction, operation, decommissioning and reclamation. Proposed mitigation measures must be specific, achievable and measurable relative to a well defined end state or outcome.

Residual effects are those remaining after all practicable mitigation to avoid and minimize impacts have been exhausted. If residual effects are significant or otherwise unacceptable, additional mitigation, such as offsets, may be required. Offsets are a last resort when no other feasible measures are available to eliminate significant residual impacts on VCs. Depending on the relationship between a VC and the environment, a specific change in an environmental component

may result in little effect on one VC, while significantly impacting another VC. Therefore, you should evaluate and present the significance of residual effects for each VC.

Finally, subsection *9.3 Cumulative Effects Assessment (CEA)* identifies development-specific impacts that may combine with the impacts from other past, present or reasonably foreseeable future projects or activities in the regional study area to create or amplify adverse impacts on VCs.

Table 9. Effects Assessment

	TOR Information Required	EIS Additional Information Required
9.1 ***Predicted Changes to the Environment***		
	a) for each environmental component, identify the approach that will be used to measure environmental changes resulting at each phase of the development	b) for each environmental component, identify the change from baseline condition that could potentially occur and predict the likelihood, magnitude, frequency, duration and reversibility of the change under different possible scenarios
		c) comparison of expected future condition of each component with and without the development
		d) clearly defined methodology, assumptions and rationale for the predicted changes, including reference to standards and thresholds, where they exist
9.2 ***Assessment of Effects on Valued Components***		
9.2.1 Development Impact		
	a) for each VC or group of similar VCs, briefly describe the spatial and temporal boundaries, techniques, models, analyses and impact thresholds that will be used to assess the potential impacts of development related changes	d) for each VC or group of related VCs, description of the methodology that was used to assess the potential impacts of development related changes explaining any deviations from the methods proposed in the TOR
	b) expected impacts (if known) to key VCs	e) identification and analysis of the direct and indirect impacts on each VC for each phase of the proposed development
	c) how historical information and traditional knowledge collected through engagement with local communities, First Nations and Métis communities will be used to identify potential impacts to VCs in the study area	f) evaluation of the significance of development-specific impacts on each VC in terms of the magnitude, geographic extent, timing, duration, frequency, reversibility and likelihood of occurrence

Table 9. Effects Assessment		
	TOR **Information Required**	**EIS** **Additional Information Required**
		g) discussion of the ability of the local environment to accept the predicted changes (i.e., the resiliency of the environment)
		h) discussion of the proponent's understanding of potential adverse impacts to VCs important to local communities, First Nations and Métis communities
		i) the significance of predicted changes to different communities or groups
9.2.2 Proposed Mitigation		
	a) potential technically and economically feasible mitigation measures available for key VCs that may be impacted by the development	d) proposed mitigation and rationale for those VCs determined to be at risk from potential impacts
	b) indication of expected outcomes of potential mitigation measures	e) justification for when non-standard mitigation is proposed
	c) approach for engaging with HCB, local authorities and communities on culturally significant finds to determine appropriate mitigation	f) the objective or desired outcome of specific mitigation for each VC
		g) discussion of level of acceptance by local communities for proposed mitigation measures
		h) methodologies for implementing mitigation measures
		i) plan for monitoring mitigation outcomes
		j) contingency actions if mitigation does not achieve expected outcomes
9.2.3 Residual Effects		
	a) approach for determining what residual effects may remain after mitigation is implemented	e) for **each** VC, detailed explanation of the methodologies used to identify and assess the significance of residual effects
	b) methodology for assessing the significance of residual effects	f) identification of the residual effects remaining after proposed mitigation is implemented

Table 9. Effects Assessment		
	TOR **Information Required**	**EIS** **Additional Information Required**
	c) identification of key anticipated residual effects (if known)	g) significance of development-specific residual impacts on each VC in terms of the magnitude, geographic extent, timing, duration, frequency, reversibility and likelihood of occurrence
	d) statement addressing the proponent's intent to offset for VCs, as required where residual impacts are anticipated	h) detailed proposed offsetting plan(s) for VCs where residual impacts cannot be avoided or sufficiently minimized, or justification as to why offsets are not required. A detailed offset plan for impacts to SOCC or ecosystems may include: • offset objectives • options and preferred method for calculating offsets (e.g., credit/debit, defined ratio) • offset options • offset methodology • monitoring program • contingency actions if offset does not achieve objectives
9.3 ***Cumulative Effects Assessment (CEA)***		
	a) commitment to discuss in the EIS how the development will contribute to any cumulative environmental impacts in the short or long term	c) detailed explanation of the approach to assessing cumulative impacts of the development on VCs
	b) description of the proposed approach for evaluating the cumulative impact of the development on VCs	d) definition and rationale for spatial and temporal boundaries used in the CEA
		e) identification and rationale for the VCs that will be the subject of the CEA
		f) sources of the potential cumulative effects including those from the current development and other past or possible future projects
		g) proposed mitigation measures to avoid, minimize or offset cumulative effects of the development

10. Consultation Report - Effects on First Nation and Métis Communities

This section should incorporate and build on relevant information from all preceding sections of the TOR/EIS. The previous *Section 9. Effects Assessment* focusses on impacts to VCs, whereas the purpose of this section is to assess if and how the impacts to VCs adversely impact the exercise of Treaty and Aboriginal rights or traditional uses. For example, Treaty and Aboriginal rights or traditional uses may be impacted as a result of residual adverse effects on VCs such as:

- wildlife important for hunting, fishing or trapping or the habitat necessary to support those species;
- vegetation important for food, spiritual or medicinal purposes;
- landscape features important to the exercise of rights or carrying out of traditional uses; and
- access to areas important for exercising rights and traditional uses, to which a right of access would otherwise exist.

Table 10. Consultation Report - Effects on First Nation and Métis Communities

TOR Information Required	EIS Additional Information Required
a) acknowledgement that the Section 5. First Nation and Métis Consultation Plan will be used to assess and present any potential effects of the development on their rights and traditional uses	c) dates, locations and attendance numbers for all engagement events
b) identification of the need to work with impacted communities to develop appropriate mitigation or accommodations where necessary	d) concerns raised at each event, the immediate response by the proponent (if applicable) and the measures proponents propose to address the concerns
	e) indication, throughout the EIS, of how local knowledge was used to assess impacts and develop mitigation
	f) identification of stakeholders, interested persons or organizations that wish to be notified directly for the formal 30-day public review period
	g) plans for future engagement activities
	h) complete communication log including dates, places, participants, nature of communication (e.g., email, meeting, phone call), key topics addressed and outcomes

Table 10. Consultation Report - Effects on First Nation and Métis Communities	
TOR **Information Required**	**EIS** **Additional Information Required**
	i) plain language summary, **for each** First Nation and Métis community consulted, of all key consultation-related information and conclusions contained in the EIS regarding **impacts to rights and traditional uses**, including: • details of approach taken to identify and evaluate adverse impacts • key impacts identified by the community • relationship between effects on VCs and ability to exercise rights and traditional uses • how and where traditional knowledge informed identification of impacts • mitigation proposed by the proponent, including alterations to the design or operation of the development, to avoid or minimize impacts • how and where traditional knowledge informed identification of the proponent's proposed mitigation for identified impacts • feedback from communities on their acceptance of the proposed mitigation • accommodation proposed by the proponent to address residual adverse effects on rights and traditional uses, or where the community requests confidentiality, a statement concerning the community's acceptance of the proposed accommodation • identification of and rationale for any difficulties consulting effectively • identification and explanation of outstanding issues or information gaps • technical environmental issues identified by communities in the study area, **but outside the scope of consultation** (e.g., air quality, groundwater contamination), and how the development or EIA may have been adjusted to address them

11. Potential Accidents and Malfunctions

Unplanned development impacts can occur as a result of human error, equipment breakdown or acts of nature. Complete a risk analysis to determine the potential for the impacts of accidents and malfunctions.

Table 11. Potential Accidents and Malfunctions

TOR Information Required	EIS Additional Information Required
a) list of potential major accidents and malfunctions associated with the development	b) detailed assessment of the possible major accidents and malfunctions, the resulting impacts on the environment, particularly on VCs, and the level of significance of those effects
	c) safeguards in place to avoid, minimize and mitigate for impacts due to accidents and malfunctions
	d) conceptual emergency response plan, including methods for notification of and reporting to potentially impacted communities and authorities

12. Ancillary Projects

Ancillary projects, which may also be deemed developments upon screening, carried out under ownership of another proponent (e.g., Crown utility company, ministry, municipality) need not be presented in any detail in the EIS. However, proponents must identify, to the extent possible, the major social, economic and environmental implications of all ancillary projects. Similarly, discussion of the potential for future expansions is desirable, although proponents should be aware that additional assessment and approvals may be required should they wish to proceed with those expansions. All components and activities carried out by the proponent that are essential to the successful construction and operation of the primary development must be included in the scope of the EIA.

Ancillary projects may be independently screened under the Act to determine if they are considered a development. Ministerial approval for the primary development does not pre-suppose approval for ancillary projects, even if ancillary projects are essential to the operation of the primary development. Proponents of related projects should work together to synchronize to the greatest extent possible their proposal submissions to the ministry.

The intent of this section is to identify to the extent possible the major social, economic and environmental implications resulting from these ancillary projects.

Table 12. Ancillary Projects	
TOR **Information Required**	**EIS** **Additional Information Required**
a) list of ancillary projects and the expected responsible third-party proponent	c) anticipated timelines for each ancillary project
b) list of potential expansions or related projects the proponent is considering for the future, but that are not essential to the current development and for which approval is not currently being sought	d) available information regarding the description and location of third-party ancillary features associated with the development
	e) possible VCs in the area of ancillary projects
	f) indication of potential impacts from ancillary projects on VCs or Treaty and Aboriginal rights and traditional uses
	g) available information on the nature and location of future expansions and their potential impacts, especially if different from the primary development

13. Effects of the Environment on the Development

The proponent must consider how environment events could affect the proposed development and how those effects could, in turn, impact the environment. Seasonal variation, frequency of severe weather events, climate change, forest fires, etc. could effect the proposed development and have implications for the VCs in the local or regional areas.

Table 13. Effects of the Environment on the Development	
TOR **Information Required**	**EIS** **Additional Information Required**
a) list of the likely environmental events that could impact the development at each phase	b) evaluation of how each possible environmental event may impact the development, and the consequences of the impact on the development
	c) mitigation measures and contingency plans that may be employed to manage adverse effects of the environment on the development

14. Monitoring

A key function of monitoring is to inform adaptive management. Adaptive actions may be required in cases where actions do not result in the environmental outcomes anticipated in the EIA. This may occur when the action is implemented on the basis of an expected modelled outcome. The model may require revaluation and real data used to develop a novel approach to achieve the desired environmental outcome. Adaptive actions may also be required in the event of accidents, malfunctions or impacts of the environment on the development.

Preliminary monitoring plans presented in the EIS will be further refined in discussion with the relevant regulators during subsequent permitting and approvals. As follow-up to the EIA, monitoring will be required for all phases of the development to:

- ensure compliance with regulatory requirements;
- confirm or quantify impacts anticipated during the EIA;
- evaluate the success of development design and mitigation measures;
- facilitate adaptive management of impacts and mitigation as necessary;
- ensure public issues and concerns have been addressed; and
- assess how well concerns related to the adverse impacts to Treaty and Aboriginal rights and traditional uses have been addressed.

Table 14. Monitoring

TOR Information Required	EIS Additional Information Required
a) identification of the various monitoring programs that will be established as part of the follow-up to the EIA during each phase of the development	b) preliminary monitoring plans for development-specific and regional effects that will: • verify the predicted impacts on VCs and their response to planned mitigation and reclamation activities; and, • inform adaptive management and mitigation, in the event that initial mitigation is ineffective or inappropriate
	c) descriptions of monitoring parameters, protocols, analyses and schedules to be employed in the proposed monitoring programs
	d) timing and format for reporting on monitoring results
	e) process to be used for determining when and how adaptive management will be implemented in the event of unexpected monitoring results or non-compliance situations

15. Summary and Conclusions

This section summarizes the key technical findings of the EIA with emphasis on the adverse impacts to environmental, social and economic VCs and Treaty and Aboriginal rights and traditional uses. A table format is preferred for organizing the information.

Table 15. Summary and Conclusions

TOR Information Required	EIS Additional Information Required
a) the anticipated approach to presenting the information for this section of the EIS	b) succinct presentation of the key impacts for each VC, the proposed mitigation, and expected residual effects after mitigation
	c) the significance of the residual effects and their impact on local communities, First Nations, Métis communities, and provincial environmental and economic objectives
	d) the offsets or accommodations proposed in response to significant residual effects

16. Conditions Management

During implementation of the development, the proponent is responsible for managing the commitments made in their EIS to prevent or mitigate environmental impacts of the development and to meet specific regulatory requirements, including any terms or conditions imposed by the Minister as part of their EA approval. The commitments register is used to list and track those responsibilities and facilitate ongoing regulatory involvement. The register should also include specific commitments for monitoring. Each commitment is to be stated in such a manner that auditing for conformance is not subjective. Commitments must be specific, measurable, achievable and reportable. Where possible, the proponent should refer to existing guidelines or standards (ministry or other acceptable guidance) for evaluating whether a commitment has been met.

The proponent is to make the register and associated guidance material (plans, reports, etc.) available to the personnel responsible for implementing a commitment and maintain the register by updating information as necessary. The register is to be made available on demand to any regulating agency. Contact the ministry for assistance with development of the register, if necessary.

The requirements for each column in the register are as follows:

"**EIS**" - for commitments originating from the EIS, the appropriate section containing the commitment is to be referenced.

"**Condition in Approval**" - should the Minister approve the development, the proponent will update the register to include any condition specified in the ministerial approval and reference them as such.

"**Permit #**" - for commitments that are a requirement of a specific permit obtained for the development, the permit name and number (if available). If a permit number is not available, the type of permit and reference to the appropriate act or regulation is to be provided.

"**Measure of Compliance**" - identifies how the implementation of the commitment is to be measured.

"**Approving Agency/Branch**" - indicates the government agency to which the proponent will report, as required, for a commitment.

"**Commitment Due Date**" - indicates the date a commitment is to be met.

"**Commitment Status**" - the status of each commitment (met, not met, in progress) should be updated for each submission of the register.

"**Preventative or Corrective Action**" - may be required when a commitment is at risk of being "not met". Corrective action may be required when a commitment has not or cannot be met.

"**Adaptive Action**" - may be required when a "met" commitment does not result in the environmental protection outcomes anticipated in the EIS. Adaptive actions will need to be approved by the appropriate government agencies. In cases where the adaptive action results in a substantial change to the development, the development may need to be reviewed under section 16 of the Act.

"**Name and Section of Additional Report**" - Where adaptive action results in new commitments, the proponent will enter these into the commitments register and reference the document containing the new commitments in the column. For example, a commitment to develop a water quality monitoring plan will generate a list of new commitments specific to monitoring when the plan is finalized and approved. The commitments register will also need to be updated and approved by the appropriate government agency if the proponent wishes to use a new/different set of standards, thresholds or guidelines than originally proposed for meeting a commitment outcome.

"**Commitment Due Date**" – date by which the actions or outcome specified in the commitment are to be complete. Any dates in the ministerial approval supersede all others.

"**Actual Completion Date**" - date by which the actions or outcome specified in the commitment are actually complete. Compliance issues may arise if this date exceeds the commitment due date, therefore proponents must contact the ministry prior to this event for advice and direction.

"**Comments**" - additional comments regarding a commitment.

The proponent of an approved development may be required to report to the appropriate government agencies regarding progress made on meeting commitments in the commitments registry or as required by each permitting agency. Specific reporting requirements will be

determined during approval and permitting stages. Should follow-up reporting be required, information about the following may be requested:

- significant accidents or spills and the responses that were taken;
- how effectively commitments are being met;
- unforeseen events, including impacts of the environment on the development that may prevent commitments from being met;
- preventative actions where a commitment is at risk of not being met;
- corrective actions being taken (approved by the appropriate government agencies) where a commitment has not, or cannot be met;
- justification for why any commitment has not been met; and
- an assessment (where appropriate) of whether a commitment is sufficiently addressing the intended environmental protection or mitigation objectives.

Table 16. Conditions Management

	TOR Information Required	EIS Additional Information Required
16.1	***Commitments Register***	
	a) format for the register if different from the suggested excel spreadsheet template in Appendix B of this document	b) commitments register outlining: • each commitment made to prevent or mitigate the environmental impacts of the preferred development alternatives and to meet regulatory requirements • specific commitments for monitoring as required • how and when each commitment will be implemented • specific, measurable, achievable and reportable outcomes • reference to acceptable tolerances (from existing material or material developed by the proponent) for determining whether a commitment has been met
16.2	***Follow-Up Reporting***	
	a) identification of potential needs for follow-up reporting, such as reporting back on monitoring or offset activities	b) completed commitments register and commitment to maintain the information for follow-up reporting
		c) identification of what follow-up reporting will likely be required and to which regulator information will be submitted
		d) proposed timeline for follow-up reporting where required

17. Qualified Persons Credentials

Many professions require compliance with associated legislation. For example, Engineering and geoscience work reported in the EIS must comply with the requirements of *The Engineering and Geoscience Professions Act of Saskatchewan*. Professional work undertaken pursuant *to The Agrologists Act, 1994* and *The Forestry Professions Act* also requires commensurate compliance. Other professionals may also have membership in accredited organizations in other provinces. Refer to Saskatchewan's Environmental Code and Qualified Persons for additional information.

Where disciplinary leads are not required by legislation to belong to a professional association, you must provide relevant academic and experiential qualifications.

Table 17. Qualified Persons Credentials

TOR Information Required	EIS Additional Information Required
a) if known, a list of disciplinary leads responsible for undertaking the EIA	c) final list of disciplinary leads responsible for undertaking the EA
b) academic and experiential qualifications, or credentials of a qualified person for members of a regulated discipline	d) academic or experiential qualifications, or credentials of a qualified person for members of a regulated discipline

18. References

Where external, third-party information or data are used to support findings of the EIA, the proponent must provide the source. In addition, where conclusions are cited from other reports that are critical to the assessment of environmental impacts, the proponent must provide sufficient detail about the original data and analysis, to enable critical review of the material. The EIS will be a stand-alone document from which critical review can be undertaken.

Table 18. References

TOR Information Required	EIS Additional Information Required
a) for any references provided in the TOR, see "EIS Additional Information Required" column	b) a citation for third-party information source within the text of the EIS
	c) a section containing complete reference for citations, used to support the findings of the EIA
	d) summaries of any relevant third-party data or other information used to support the findings of the EIA

APPENDIX B – COMMITMENTS REGISTER TEMPLATE (EXAMPLE ONLY)

Development Name:														
Proponents Name:														
EASB File#:														
ID	**Last Date Entered**	**Commitment**	**Section in EIS**	**Condition in Approval (y/n)**	**Permit # (if available)**	**Name and Section of Additional Report**	**Approving Agency / Legislation**	**Measure of compliance**	**Commitment Status (met, not met, in progress)**	**Preventative or Corrective Action**	**Adaptive Action**	**Commitment Due Date**	**Actual Completion Date**	**Comments**
1		Contaminant level remains below maximum allowed by X Water Quality Standard, otherwise an interceptor ditch and pump back well will be installed as per Section 3.4.5	3.4	n	EMPA		EASB/EPB	Contaminant levels at or below allowable level according to YYY Standard	met			as required	TBD	Contaminant level reached maximum allowed by YYY Standard, therefore interceptor ditch and pump back well will be installed as per Section 3.4.5
2		Wetland Restoration Plan to be submitted one year from approval date	7.1.8	y			EASB/FW&L	Wetland Restoration Plan submitted one year from approval date	met			30-Jun-11	15-Jun-11	
3		Restore 40% of wetland X by September 30, 2012		y		Wetland Restoration Plan 2.3	EASB/FW&L	40% of area contoured and drainage corrected as per the Wetland Restoration Plan	in progress			30-Sep-12		

Appendix C – Environmental Assessment Screening and Impact Posters

There are two posters on the following pages that can be printed and posted at public events for developments completing environmental assessments pursuant to *The Environmental Assessment Act.*

This project is subject to an environmental impact assessment.

The environmental impact assessment process allows for public participation and ensures projects proceed with appropriate environmental safeguards in place.

Your feedback is vital to the review process.

The information, concerns and priorities you provide will help inform decisions and ensure all potential environmental impacts are considered.

saskatchewan.ca/environmentalassessment

Saskatchewan

This project is subject to an environmental assessment screening.

The screening process determines whether an environmental impact assessment will be required before the project can proceed.

Your feedback is vital to the review process.

The information, concerns and priorities you provide will help inform decisions and ensure all potential environmental impacts are considered.