



A PROPONENT'S GUIDE TO ENVIRONMENTAL ASSESSMENT

2025



Purpose of this guide

This guide is designed to help proponents understand Nova Scotia's Environmental Assessment process and what types of projects require an environmental assessment. It explains the steps to successfully navigate the process and replaces all previous versions. It is intended to be used along with the [Environment Act](#), [Environmental Assessment Regulations](#), [Environmental Assessment Panel Regulations](#) and other environmental assessment guidance documents. Key terms have been simplified for the purposes of this guide, but for greater clarity should be reviewed as they appear in the *Environment Act* and associated *Regulations*. Where there is a discrepancy between this guide and the *Environment Act* and associated *Regulations*, the *Environment Act* and *Regulations* prevail.

Key Terms

Adverse Effect

An effect that impairs or damages the environment or changes the environment in a way that negatively impacts human health.

Environmental Effect

Positive or negative changes to the environment including to socio-economic conditions, environmental health, physical and cultural heritage or on any structure, site or thing.

Plain Language

Clear, straightforward language that anyone can easily understand without specialized knowledge. It avoids jargon and complex terms, making information accessible to a general audience.

Proponent

The company, organization, or government department that proposes a project for environmental assessment review.

Undertaking

Projects that require environmental assessment are called undertakings.

Valued Components

Key ecological, social, or economic parts of an ecosystem, including species, habitats, landscapes, bodies of water, cultural areas.

Overview of the Environmental Assessment Process

Legal Framework

Nova Scotia's *Environment Act* establishes the framework to support and promote the protection, enhancement and prudent use of the environment. Part IV of the Act sets out the requirements for environmental assessment. The Environmental Assessment Regulations and Environmental Assessment Review Panel Regulations describe the process and determine which projects require environmental assessment.

Purpose

The purpose of environmental assessment is to help proponents plan projects considering environmental effects as defined by the *Environment Act*. Proponents gather evidence, information and complete studies to identify the benefits of a proposed project, its potential effects on the environment and plans to mitigate potential negative effects. The Nova Scotia Department of Environment and Climate Change, as the neutral regulator, evaluates the design and plan for a proposed project through the environmental assessment process, to ensure environmental impacts are identified and managed before a project is constructed.

Climate change is an overarching consideration in environmental assessment. This includes understanding the benefits or negative impacts of the project in relation to greenhouse gas emissions, and the impacts of climate change on the project. Environmental assessment is a critical step in advancing important projects in a way that supports Nova Scotia's sustainable prosperity goals and the equitable transition to a clean economy.

Mi'kmaq and Community Engagement

The environmental assessment process ensures that Nova Scotians can share their views on projects that might affect them. At early stages of planning for an environmental assessment, proponents are expected to engage the Mi'kmaq of Nova Scotia and people from communities who may be impacted by the project, including individuals and groups that have been historically underrepresented or underserved. An inclusive, interactive engagement approach improves community understanding of the project and allows community concerns to be addressed. It also helps proponents improve design, build goodwill with communities and save time and money.

Registering for Environmental Assessment

When a proponent completes the necessary planning, science, study and engagement, they are ready to register their project for environmental assessment. Proponents provide all information compiled about their project, including the results of early engagement efforts, within their environmental assessment registration documents. When they submit their registration documents and their associated fees, the formal environmental assessment process begins.





Key Steps of the Review Process

- Registration documents are posted on the [Department of Environment and Climate Change's website](#).
- The Department also initiates consultation with the Mi'kmaq, when required, and notifies the public that an environmental assessment is registered. The Mi'kmaq and the public then have a set time to review the registration documents and provide comments directly to government.
- Government reviewers, representing a wide variety of fields and disciplines from municipal, provincial and federal departments, are notified of the registration and their review begins. These reviewers evaluate the science and evidence provided by the proponent, how the proponent has considered potential adverse and environmental effects, and their proposed mitigations for any negative effects.
- All feedback received during the above review process, including science, evidence, and information from the public and the Mi'kmaq informs the Minister of Environment and Climate Change who determines whether a project will receive an environmental assessment approval.

The Decision

The Minister carefully considers all information provided through the formal environmental assessment process in accordance with the regulations. If the Minister approves a project, the approval typically includes terms and conditions to ensure the project appropriately mitigates adverse impacts and environmental effects through the life of the project. The Department ensures that the proponent meets the terms and conditions of their approval through regular inspections and audits. This allows sustainable development to proceed while protecting the environment.

Tips for a Successful Environmental Assessment

1

Call us early

Reach out to our [Business Relationship Managers](#) in the early stages of your project to ensure you understand regulatory requirements and can start planning for studies that need to be done as your project plan evolves. This saves time and money and helps your project to advance faster.

2

Talk to your community

Engage the Mi'kmaq of Nova Scotia and people from communities who may be impacted by the project, including individuals and groups that have been historically underrepresented and underserved. Engage early and often so that you are aware of their concerns and can address any issues before entering the environmental assessment process. When proponents work to ensure community support through information and accommodation (where needed) it helps them to improve design, build goodwill with communities, and more smoothly navigate the regulatory process.

3

Prepare a thorough registration document

Ensure all relevant studies are done before registering your project for environmental assessment to support a successful outcome and timely decision. A thorough registration document includes important baseline information related to the current environment; key studies required to understand adverse effects and environmental effects; explains and addresses community and Mi'kmaq concerns; and provides mitigation strategies for predicted impacts.

What projects require Environmental Assessment?

The *Environment Act* defines certain projects that can cause adverse impacts or significant environmental effects as **undertakings**. Projects that meet the definition of an undertaking must go through the environmental assessment process before they can proceed. A list of undertakings is included in [Schedule "A" of the Environmental Assessment Regulations](#).



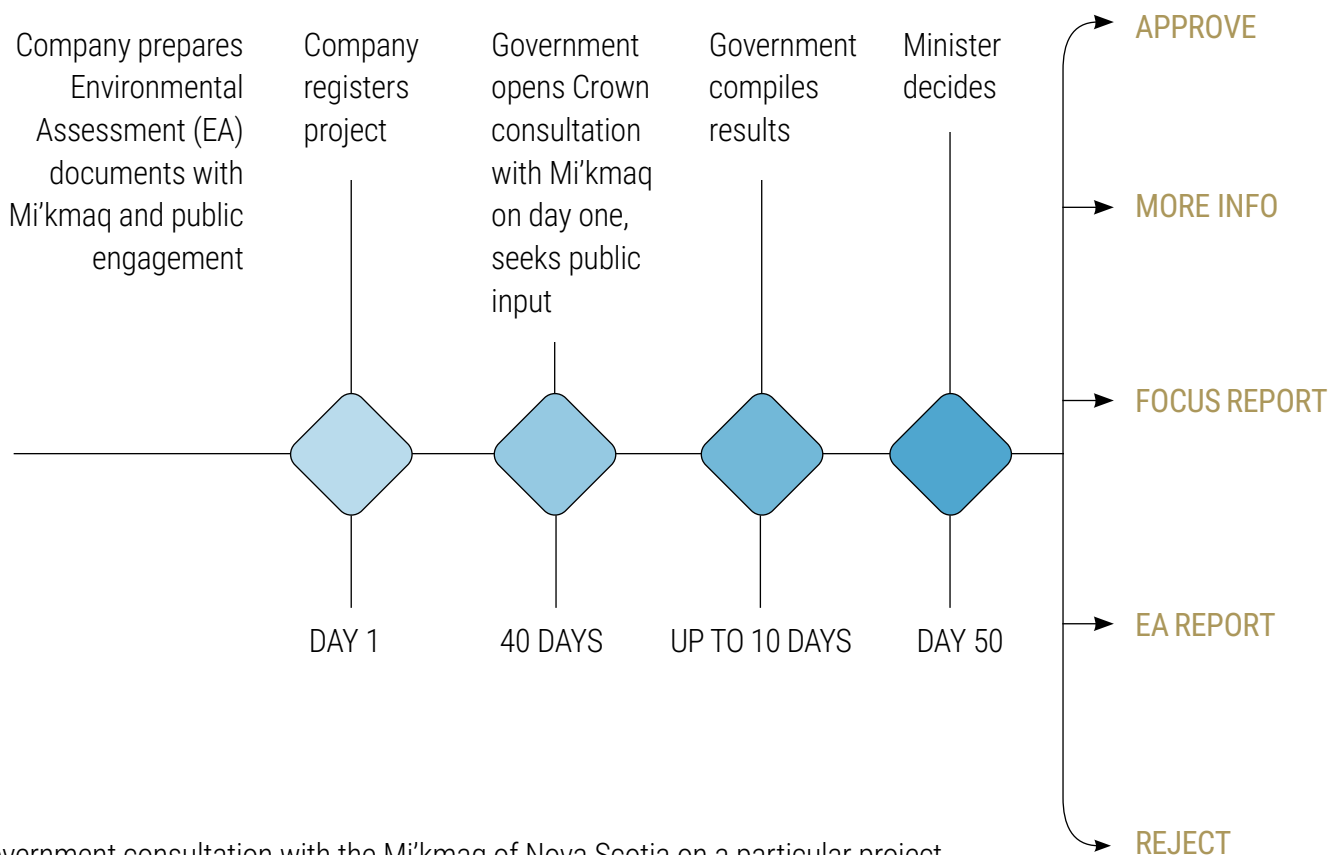


There are two types of undertakings, and each follows a different environmental assessment process laid out in the regulations:

- **Class I undertakings** include renewable energy projects (wind, biofuels), mines, quarries, large wetland alterations and various industrial projects. These projects proceed through a 50-day process that is outlined below [EA-ClassI-Infographic.pdf \(novascotia.ca\)](#)

CLASS I ENVIRONMENTAL ASSESSMENT PROCESS

Applies to projects like mines, waste facilities and developments in wetlands



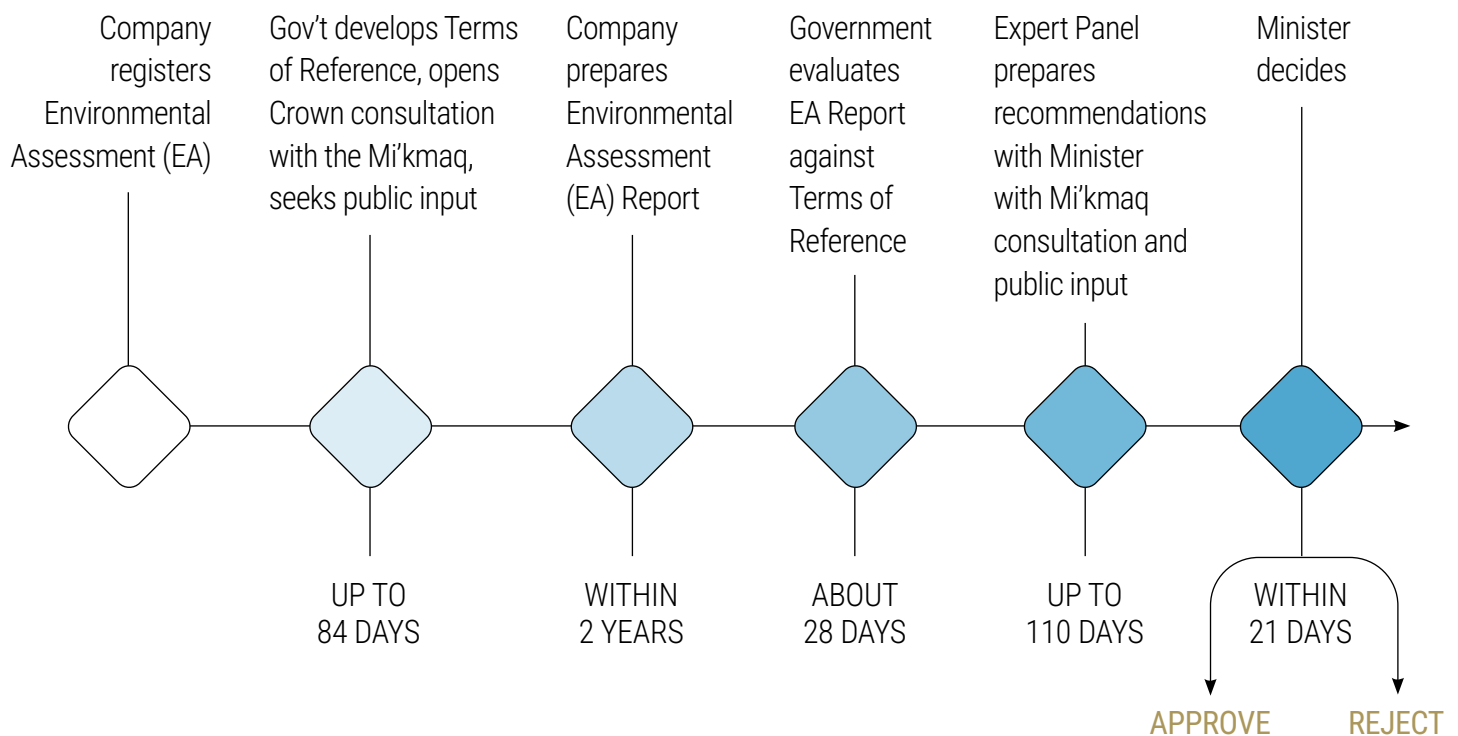
Government consultation with the Mi'kmaq of Nova Scotia on a particular project can also occur on other government permits in addition to the Environmental Assessment process.



- **Class II undertakings** include projects such as pulp mills, cement plants, incinerators and large energy plants. These projects proceed through a longer, time-limited process and include review by an expert panel. The panel has the option to hold public hearings if there is sufficient public interest. This process is illustrated in the below [EA-ClassII-Infographic.pdf \(novascotia.ca\)](#)

CLASS II ENVIRONMENTAL ASSESSMENT PROCESS

Applies to large-scale projects like solid waste incinerators, petrochemical facilities and pulp plants



Government consultation with the Mi'kmaq of Nova Scotia on a particular project can also occur on other government permits in addition to the Environmental Assessment process.

How do I know if an environmental assessment is required?

Engage early with the [Business Relationship Manager](#) at the Department of Environment and Climate Change to confirm environmental assessment requirements for your proposed project or changes to your existing one.

There are two ways to connect with the department:

1. Contact a Business Relationship Manager.

Business Relationship Managers are available to help proponents understand the department's overall regulatory path and will connect them with important resources, including environmental assessment.

Business Relationship Managers:

- [Get help with environmental approvals: Business Relationship Managers - Government of Nova Scotia](#)
- [Business Relationship Managers brochure - Government of Nova Scotia](#)

2. Contact the Environmental Assessment Branch directly.

For information specific to the environmental assessment process and requirements.

- ea@gov.ns.ca | novascotia.ca/nse/ea/ | 902-424-3600

An Environmental Assessment Officer will be assigned to work with each proponent to support their project as they advance through the environmental assessment process.



Understanding the Regulatory Requirements for Environmental Assessment

Once the Department confirms that an environmental assessment is required, proponents and their consultants should take the following steps to understand regulatory requirements:

- **Meet with a Business Relationship Manager and an Environmental Assessment Officer** to discuss project scope and answer questions about required information.
- **Review the [Department's Checklists for Class 1 Environmental Assessments](#)**
It lists the studies and information typically needed within their environmental assessment documents. Department staff are available to respond to questions about any of the studies or required information listed.
- **If the regulations require a Class II process** for your project, the **Environmental Assessment Branch will advise and will clarify the steps in the process and the requirements** needed to inform the environmental assessment documents.

Understanding requirements will help proponents plan to ensure their project can proceed without delays. It is important to plan for early data collection and early engagement. Some tasks like desktop studies and gathering existing information can be done year-round while others will need to be completed in the appropriate season (e.g., bird and plant surveys, flow measurements, etc.). Proponents are encouraged to complete all studies and provide an opportunity for meaningful community engagement to meet all regulatory requirements.



Other Regulatory Approvals and Permits

Proponents should engage the Department and other municipal, provincial or federal regulators to identify any further regulatory requirements for their project. While some studies conducted for the environmental assessment can be used to seek subsequent approvals and permits, an environmental assessment approval does not guarantee other permits or approvals will be issued. These must be obtained separately.

Steps to Prepare your Environmental Assessment Registration Document

PREPARING FOR ENVIRONMENTAL ASSESSMENT

UNDERSTANDING REQUIREMENTS

Contact a Business Relationship Manager

Confirm the project requires an EA with the EA Branch

Review EA submission checklist & proponents guide

Meet with EA Branch & government experts to introduce and scope the project

PLANNING + DATA COLLECTION*

Engage the Mi'kmaq

Engage the community

Plan your studies

Complete field work

Ongoing Public and Mi'kmaq engagement

ANALYSIS

Analyze results of field work and studies

Engage with the EA Branch & government reviewers for guidance

Identify project benefits

Identify mitigations to adverse environmental impacts

Prepare Environmental Assessment Registration Document (EARD)

SUBMISSION

* see regulations for details on requirements'

The remaining sections of this document provide further details, resources and considerations to help proponents prepare an environmental assessment registration document for proposed projects.

Below is a **high-level overview of the steps** proponents and/or their consultants are expected to complete:

- **Project plan:** Define elements of the project, engage with the department and hire a consultant
- **Engage the community:** Identify communities that may be affected, engage early and often by sharing plans and studies and addressing concerns. See the Importance of Early and Equitable Engagement Section for more information.
- **Determine the valued components of the environment:** Such as water resources, wildlife, air quality, which vary by project depending on their location and the landscape.
- **Gather baseline information:** Complete studies and fieldwork for each relevant valued component to understand potential impacts to all valued components. See the [Department Class I Environmental Assessment Checklist](#) for more information.
- **Analyze effects:** Consider socio-economic conditions, environmental health, and cultural heritage.
- **Develop mitigations:** to avoid, minimize or compensate for any expected negative effects on the environment.



- **Consider cumulative effects** in the area from the project using available data including baseline and background data and information on available projects in the vicinity. See our [interactive map](#) for information and data that may assist.
- **Outline project's potential positive environmental effects:** Include jobs to be created, local, regional or provincial economic impacts, and contributions to broader priorities such as renewable energy, climate change, housing, health care, infrastructure and other positive benefits.
- **Assess climate change impacts:** Include the project's positive or negative impact on greenhouse gas emissions and the potential impact of climate change on valued components and the project. See the Climate Change Section for more information.
- **Develop a plain language summary:** Include a map of the project and environmental assessment conclusions to support public engagement efforts and consultation with the Mi'kmaq during the formal environmental assessment review.
- **Compile all information** into the Environmental Assessment Registration Document.



Key Considerations

Importance of Early and Inclusive Engagement

Environmental assessments give Nova Scotians a chance to share their opinions on projects that may affect them. Engagement allows proponents to share information about their proposed project, gather local knowledge and hear about any community concerns. This helps to inform project plans and design, minimize risks, build goodwill with communities, and helps proponents to assess potential adverse impacts and environmental effects.

Equity is a key principle in Nova Scotia's 2021 *Environmental Goals and Climate Change Reduction Act* and should inform community engagement plans. Proponents are expected to engage the Mi'kmaq of Nova Scotia and people from communities, including those who have been historically underrepresented or underserved. Early and meaningful engagement with these communities will encourage better relationships and promote fair and equitable representation of stakeholders' perspectives.



Developing a Community Engagement Plan

Proponents should prepare a community engagement plan early in the project planning phase. The most successful engagement plans involve early and regular efforts to build understanding and support within communities as the project develops. When developing a community engagement plan, proponents should seek out best practices and tailor the plan to both the project and community. It is important to ensure a plan covers all stages of the project and is regularly reviewed and updated as the engagement process progresses. To have effective, meaningful engagement, technical details must be clear and easy to understand.

Resources:

- Nova Scotia's accessibility best practices
([Accessibility Directorate - Government of Nova Scotia, Canada](#))
- The Public Engagement Guidebook: Office of Equity and Anti-Racism
(<https://www.oeaengagement.ca/26883/widgets/188241/documents/136506>)

Plain Language Summary

Our modernized environmental assessment process expects proponents to prepare and include a plain language summary of their project, its positive and potentially adverse effects and proposed mitigations, and map of the project area. This information will be part of their registration documents that will be made available online. This summary will help companies to engage with communities, because it will help non-technical readers to understand the project, its benefits, its potential impacts, and the ways the company proposes to manage the impacts.

Including Community Engagement in Environmental Assessment Documents

Proponents are expected to detail their engagement efforts and how they have made adjustment to respond to the information received in their environmental assessment report document. This includes information about any concerns about environmental effects raised by the community and stakeholders, and how these concerns have been addressed. The Minister considers concerns raised by the community and the Mi'kmaq and how these concerns have been addressed when making a decision on the project.

Government Consultation with the Mi'kmaq of Nova Scotia

Government has a duty to consult with the Mi'kmaq of Nova Scotia when contemplating a decision that could adversely impact asserted or established Aboriginal or Treaty rights, which is fulfilled in part through the environmental assessment process. During the Province's consultation with the Mi'kmaq, the Province may formally delegate procedural aspects to proponents. Governments' duty to consult also extends to other approvals issued by the Province. Therefore, the Province's consultation with the Mi'kmaq may be initiated prior to an environmental assessment or it may continue after the environmental assessment process concludes.



Regardless of whether a formal delegation request is made to the proponent the Environmental Assessment regulations require proponents to engage with the Mi'kmaq. Information shared during this engagement, and any mitigation measures that are informed by these activities, may assist the Province to discharge its duty to consult. Further information for proponents on how to engage the Mi'kmaq is available in the *Proponents' Guide to Engaging the Mi'kmaq of Nova Scotia*, which can be found here: <https://novascotia.ca/abor/docs/Proponents%20Guide%20November%202011%20ecopy.pdf>. We encourage all proponents considering development or other activities that may impact the rights or interests of the Mi'kmaq of Nova Scotia to refer to the Guide.





Considering Climate Change

Considering climate change in environmental assessments helps to understand a project's positive or negative contributions to greenhouse gas emissions and how climate change may impact the project. This requires looking at all relevant impacts and valued components.

Renewable Energy Projects

Renewable energy projects like onshore wind and biofuels play a key role in achieving the transition to a clean economy and are essential to meeting our legislative climate change commitments. These benefits are an important consideration in the environmental assessment review process. The modernized environmental assessment regulations create clarity for renewable energy projects through updated terms and definitions and clear categories for renewable projects under [Schedule A](#) of the regulations.

Assessing Project Impacts on Greenhouse Gas Emissions

Environmental assessments apply to many types of projects – some produce significant greenhouse gas emissions while others produce lower or minimal emissions. For projects expected to produce notable emissions (e.g., cement plants, large manufacturing facilities, and non-renewable energy generation facilities), proponents should contact their business relationship manager for more information on the processes and regulatory requirements that apply to them. All projects should attempt to minimize their greenhouse gas emissions as much as possible.



Proponents should identify any **potential environmental benefits** the project may offer. This can include:

- The project's contribution to achieving provincial greenhouse gas emissions reduction targets, or how the project contributes to the Province's renewable energy targets.
- Avoided emissions – emissions that are reduced or avoided as a result of the project or the project's efforts to reduce their impact through efficiency measure.
- Any contributions to emissions that can not be measured but are relevant, such as producing products or materials locally to reduce transportation within the local supply chain.

Assessing Climate Change Impacts on the Project

Proponents should design projects in a way that addresses climate impacts (e.g., increased flooding, sea level rise, erosion, etc.). This will ensure the project is more resilient to climate change, which can reduce damage, costs, and the potential for injuries to employees or others. It can also strengthen financial interest in the project, reduce insurance costs, and decrease liability.

Designing projects that account for the on-going impacts of a changing climate can involve:

- changing the location or site plans to reduce exposure to climate hazards
- designing infrastructure and buildings to better withstand climate impacts
- identifying practices or policies that help to manage the effects of climate hazards on project employees
- monitoring the effectiveness of any measures to stay responsive and resilient



To assess the impact of climate change on the Project, proponents should:

1. **Describe how the climate is changing and identify relevant climate hazards.** Examine historical and projected climate data for the project location and identify specific hazards that may impact the project. This may include extreme weather events (e.g., extreme rainfall, extreme heat) or slower onset changes (e.g., freeze-thaw cycles, sea level rise).

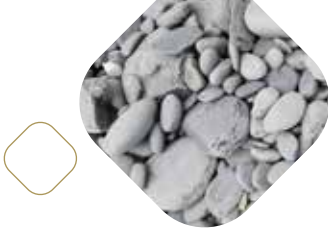
Resources:

- [Environment and Climate Change Canada – Historical Weather Data](#)
- [CLIMAtlantic - Climate Data & Information](#) and [Climate Information & Data Guide](#)
- [Coastal climate change - Government of Nova Scotia, Canada](#)
- Nova Scotia's [Climate Services Specialist](#)

2. **Assess potential climate impacts and plan adaptation measures.** For each climate impact identified, assess the level of impact over the project's lifetime, considering several factors. This assessment should consider how likely the impact is and how much it could negatively affect the project.

This involves assessing climate hazards and the consequences of potential impacts. Frameworks developed by the International Organization for Standardization or Public Infrastructure Engineering Vulnerability Committee or others should be used to apply best practice to assess and mitigate impacts.

Resource: [Nova Scotia's Provincial Climate Change Risk Assessment \(2022\)](#)



Registration Documents

Before submitting the Environmental Assessment Registration Documents for a Class I Environmental Assessment, proponents must ensure they have included all requirements outlined in [Section 9\(1A\) of the Environmental Assessment Regulations](#). This includes administrative items such as fees, including the name of the Chief Executive Officer (or equivalent), project locations, and other lengthier requirements like baseline information, mitigations proposed, and concerns expressed during engagement.

The [Environmental Assessment Checklist for Class I](#) is to be provided with the environmental assessment registration documents. The checklist provides an opportunity for proponents to ensure their submission is complete, to explain why some studies may not be applicable to the project, and relay any other pertinent details. Once the environmental assessment registration documents are submitted with the completed checklist and fees, the formal environmental assessment process and its legislated timeframe begins.

An Environmental Assessment Officer will confirm receipt of all requirements and advise the proponent of the registration date. The Registration date is 7 calendar days following receipt of the information to allow time to ensure the registration document package is complete and for administrative steps needed to prepare for the review period. The proponent is expected to notify the public that the environmental assessment is underway via social media, online community spaces, and/or through the newspaper, and provide the dates of the public comment period when registration begins. The Department of Environment and Climate Change initiates consultation with the Mi'kmaq on the project at this time.

ADDITIONAL INFORMATION

Federal Impact Assessments

Federal Impact Assessments are legislated under the Impact Assessment Act ([Impact Assessment Act](#)). The Impact Assessment Agency of Canada administers the Act ([The Impact Assessment Agency of Canada administers the Act](#)).

The proponent should contact the Agency early in the planning stages of the undertaking to determine if a federal impact assessment is required. In some cases, an undertaking may require both a provincial environmental assessment and a federal impact assessment. If so, the Department can coordinate with the federal government to ensure a streamlined process for both proponents and citizens.

Disclosure and confidentiality

All information submitted by the proponent for environmental assessment is released to the public and subject to the *Freedom of Information and Protection of Privacy Act*. Under this Act, a proponent can request that any personal and confidential business information be kept confidential. It is the proponent's responsibility to inform the Environmental Assessment Officer of the reasons why the information should be withheld from the public. Information accepted to be confidential will not be disclosed to the public.

