



Environmental Impact Statement (EIS) Policy

DATE APPROVED: September 20, 2016

COUNCIL RESOLUTION: 265-2016

1. POLICY STATEMENT

This policy identifies the scope, content and process for developing an EIS. This policy applies to all EISs required to be prepared for the Town of Canmore.

2. PURPOSE

The purpose of an EIS is to provide sufficient information to a decision making authority in order to make an informed decision on the proposal before it. An EIS outlines existing conditions, identifies significant natural and ecological features, determines the nature and scale of the potential impacts generated by a proposal and provides recommendations for how best to avoid or mitigate those impacts.

3. DEFINITIONS

Unless specifically defined in this section, all terms included in this policy shall be as defined in the MDP.

- 1) “Cumulative Impacts” as described in this policy are intended to ensure that the impacts of the proposal are not considered in isolation from other developments or plans in the area. Cumulative impacts are intended to be on a scale appropriate to the level at which an EIS is prepared. For example, an EIS that is submitted for an ASP should consider the cumulative impacts of the proposed ASP along with the neighbouring areas. This contrasts with an EIS prepared for a specific site development which may only be required to incorporate the neighbouring properties in the cumulative impact assessment.

4. RESPONSIBILITIES

- 1) The Planning and Development Department shall be responsible for the maintenance of this policy.
- 2) The Town of Canmore shall only accept Environmental Impact Statements that comply with this policy.
- 3) The Planning and Development Department shall ensure that all decision making authorities are provided with a copy of this policy.

5. REQUIREMENT FOR AN EIS

- 1) An EIS will be required to be prepared and submitted in accordance with the Town’s Municipal Development Plan and Land Use Bylaw.
- 2) All costs related to the preparation of an EIS shall be at the expense of the applicant.

6. EIS TERMS OF REFERENCE

An EIS must be tailored to be appropriate to the nature, scale and location of the planning or development proposal being evaluated. Typically, large or complex proposals will require more detailed

and extensive research and analysis to create the EIS than simple or small proposals. To ensure that decision makers have sufficient information to inform the decision before them a Terms of Reference shall be created. The Terms of Reference shall be developed by administration with input from the qualified professional(s) hired to conduct the third party review of the EIS. An EIS is intended have a scope limited to those issues relevant to the proposal.

1) Development of the Terms of Reference

A Terms of Reference for an EIS shall identify the information and issues that need to be addressed in relation to the proposal including the site and study area. All Terms of References shall start with the contents of an EIS listed in section 7 of this policy. This list can be reduced, added to or modified as needed to ensure that issues and information needed to make an informed decision on the proposal are included in the EIS. Prior to development of the Terms of Reference, the Town will hire a qualified professional(s) to provide input into the Terms of Reference and prepare an independent third party review of the EIS.

2) Terms of References where there are multiple studies conducted as part of a proposal

In some instances other studies (e.g. transportation impact analysis, slope stability) are prepared as part of a proposal. In instances where there is overlap of scope, the Terms of Reference for the EIS may be modified to remove items from the scope that are covered under those other studies.

3) Terms of Reference where previous studies have been completed

In some instances previous studies have been created regarding the subject land or proposal. Relevant issues will still need to be covered in the EIS, although it is possible that a previous study may meet these requirements. The applicability of previous reports will be evaluated as part of the EIS process.

4) Alterations to Terms of Reference

Where the Terms of Reference are for an EIS related to planning and development proposals, the EIS should be deemed complete by the decision making authority where it addresses all items identified in the Terms of Reference. Alterations to the Terms of Reference should only be required in situations where new information or issues arise pertinent to the proposal that were not considered when the Terms of Reference was prepared or where the proposal has been altered substantially from that contemplated when the Terms of Reference was created.

7. CONTENTS OF AN EIS

In accordance with 6(1) above, the following is a sample of the issues that typically require evaluation in an EIS. This forms the starting point for developing a Terms of Reference.

1) Proposal Overview

- a. A description of the proposal.
- b. Mapping of the proposal in relation to existing site conditions and constraints.
- c. Identification of federal or provincial requirements or restrictions relevant to the study, and how the proposal will meet the intent or legislative requirements.
- d. An overview of the planning policy context, including statutory documents and zoning.

2) Existing Site Conditions

- a. A description of existing environmental conditions, including:

- i. Site location map,
 - ii. Soils, landforms and surficial geology,
 - iii. Hydrological or hydrogeological resources including wetlands,
 - iv. A biophysical inventory and analysis of terrestrial and aquatic communities (studies being undertaken during the appropriate season), and the relationship to the larger local and regional ecosystem,
 - v. A summary description of the natural features and components, and the proposed criteria to be applied for evaluation of their significance, and
 - vi. Hazards and constraints resulting from existing site conditions.
- b. A literature review of previous relevant studies.

3) Analysis of Impacts

- a. Analysis and criteria for evaluation of the foreseeable short, medium, and long term positive and negative impacts of the proposal with respect to:
 - i. Fish and associated habitat,
 - ii. Wildlife and associated habitat,
 - iii. Vegetation,
 - iv. Soils and terrain,
 - v. Ground water impacts,
 - vi. Surface water impacts, and
 - vii. Air quality.
- b. Specific analysis of the human use impacts resulting from the proposal.
- c. Analysis of alternatives and modifications to the proposal to limit or remove impacts.
- d. An evaluation of whether the form of the development/proposal can be accommodated given any identified ecological sensitivities or constraints, including land use type and intensity of the proposed development.
- e. Analysis of the cumulative impacts of the proposal considering the impacts of adjacent development.

4) Mitigations, Recommendations & Conclusions

- a. Provide recommendations for how to reduce, avoid or mitigate negative impacts or build on positive impacts.
- b. Specific recommendations on how to mitigate long term human use impacts resulting from the proposal.
- c. Identification of residual impacts and criteria proposed to evaluate their significance.
- d. Identify monitoring requirements, and whether more extensive environmental work is required.

8. SUBSEQUENT EISS

- 1) As described in greater detail in the following sections, where an EIS has been prepared and accepted as part of a statutory plan, land use bylaw or development approval, a new EIS is generally not required at a later stage in the approval process unless the planning or development proposal changes significantly.

- 2) Where a planning or development proposal is submitted that is generally consistent with that contemplated in an EIS submitted as part of an ASP, ARP, or Land Use application the following shall apply:
 - a) If the prior EIS includes details pertinent to land use and development level impacts and mitigations, the Town may, at its discretion, waive the requirement for further EISs at the land use, subdivision or development permit stage.
 - b) If the prior EIS does not address details or issues pertinent to land use and development level impacts an addendum to the original EIS should be required by the Town. The Terms of Reference for such an addendum shall be limited to the land use and development level issues and mitigations.
- 3) Where a planning or development proposal is submitted that is not consistent with the proposal contemplated in an EIS submitted as part of an ASP, ARP, or Land Use application the Town shall, at its discretion, as to which one, require either:
 - a) a new EIS to be submitted which addresses the new proposal; or
 - b) An addendum to the previous EIS be submitted which incorporates the proposed changes.

9. SUBMISSION OF THE EIS

- 1) The EIS shall be submitted electronically.
- 2) Any documents referenced in the EIS shall be made available electronically to the Town of Canmore upon request.

10. REFERRALS

- 1) The Town may at its discretion refer anything covered under this policy for comment. Typical referrals include:
 - a) Province of Alberta (generally Alberta Environment and Parks)
 - b) Canmore's environmental advisory review committee

11. THIRD PARTY REVIEW

- 1) EISs will be reviewed by a relevant qualified professional(s).
- 2) The third party reviewer will act as an independent consultant and will report directly to the Town.
- 3) For a more effective and efficient third party review process, the Town's consultant should be engaged and involved from the beginning of the EIS process, rather than upon submission of the EIS to the Town. The third party reviewer will identify and make recommendations on how to reduce, mitigate or avoid negative impacts of the proposal including raising concerns if the negative impacts cannot be satisfactorily reduced, mitigated or avoided.
- 4) All costs associated to a third party review will be at the expense of the Town of Canmore.

12. ENSURING EIS MITIGATIONS ACHIEVED

- 1) Where an EIS identifies mitigation measures, these measures shall be incorporated into the relevant planning document or approval to ensure that they are carried out. For example, construction mitigation measures shall be incorporated as conditions of approval for subdivisions and development permits. Similarly, conditions regarding land use level details such as setbacks shall be incorporated into the relevant land use district.

13. EXCEPTIONS

- 1) Exceptions to this policy may be made by majority vote of Council provided that the exception is not inconsistent with the Municipal Development Plan.

14. STRATEGIC ALIGNMENT

In accordance with the Town of Canmore Council Strategic Plan 2016-18, this policy is in alignment with the environmental goal: *Canmore is a municipal leader in environmental stewardship.*

15. RELATED DOCUMENTS AND REGULATIONS

- 1) Town of Canmore Municipal Development Plan
- 2) Town of Canmore Land Use Bylaw
- 3) Town of Canmore FireSmart Mitigation Strategy
- 4) Bow Corridor Ecosystem Advisory Group *Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley* (2012)
- 5) Alberta Wetland Policy (2013)
- 6) Provincial Wetland Restoration/Compensation Guide (2005)
- 7) Stepping Back from the Water (2012)
- 8) Federal and Provincial Legislation and Regulations
 - The Fisheries Act
 - Navigable Waters Protection Act
 - Migratory Birds Convention Act
 - Public Lands Act
 - Water Act
 - Species at Risk Act
 - Environmental Protection and Enhancement Act
 - Wildlife Act
 - Municipal Government Act
 - Alberta Land Stewardship Act and South Saskatchewan Regional Plan

REPEALS POLICY: N/A

AUTHORIZATION:



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