



Province of Alberta

ENVIRONMENTAL PROTECTION AND  
ENHANCEMENT ACT

**ENVIRONMENTAL ASSESSMENT  
REGULATION**

**Alberta Regulation 112/1993**

With amendments up to and including Alberta Regulation 89/2013

Office Consolidation

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### **Note**

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(Consolidated up to 89/2013)

**ALBERTA REGULATION 112/93**

**Environmental Protection and Enhancement Act**

**ENVIRONMENTAL ASSESSMENT REGULATION**

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**Definition**

**1** In this Regulation “Act” means the *Environmental Protection and Enhancement Act*.

**Register of environmental assessment information**

**2(1)** The Director shall keep in the register referred to in section 56 of the Act the following documents and information, where applicable, in respect of each proposed activity dealt with under Part 2, Division 1 of the Act:

- (a) the name of the proponent;
- (b) a brief description of the proposed activity;
- (c) the location of the proposed activity, including the legal description;
- (d) a copy of any notice under section 43 of the Act advising that the proposed activity must be dealt with under section 44 of the Act;
- (e) any disclosure documents submitted under section 44(2) of the Act;

- (f) particulars of the Director's decision under section 45(1)(b) of the Act regarding preparation of an environmental impact assessment report;
  - (g) a copy of any notice provided under section 44(5) or 48(2) of the Act and sections 7(1) and 8(1) of this Regulation;
  - (h) all statements of concern submitted in accordance with section 44(6) of the Act;
  - (i) any screening report prepared under section 45(1)(a) of the Act;
  - (j) proposed terms of reference submitted under section 48(1) of the Act;
  - (k) all comments received from the public in respect of proposed terms of reference;
  - (l) final terms of reference issued under section 48(3) of the Act;
  - (m) the location where the environmental impact assessment report, any summaries of the report and any additional information submitted pursuant to section 51 of the Act can be obtained or inspected;
  - (n) a copy of any letter of referral given to the Alberta Energy Regulator, the Alberta Utilities Commission or the Natural Resources Conservation Board under section 53(a) or (b) of the Act;
  - (o) a copy of any order in council under the *Natural Resources Conservation Board Act* prescribing the proposed activity as a reviewable project for the purposes of that Act.
- (2)** For the purposes of subsection (1)(f), particulars of the Director's decision consist of the following information:
- (a) the name of the proponent;
  - (b) the type of proposed activity;
  - (c) the location of the proposed activity, referring to the municipality and the legal description;
  - (d) a statement of the Director's decision made pursuant to section 45(1)(b) of the Act.
- (3)** Subject to the *Disclosure of Information Regulation*, a person may, during usual business hours, examine any information or

document contained in the register, and may obtain one copy of any document contained in the register free of charge.

AR 112/93 s2;251/2001;254/2007;89/2013

#### **Notice of further assessment**

**3(1)** Where the Director decides under section 44(1)(b)(i) of the Act that a proposed activity requires further assessment, the proponent's notice under section 44(5) of the Act

- (a) must be published in at least one issue of a newspaper that is approved by the Director and has general circulation in the area where the proposed activity is to be located, and
- (b) must contain the following information:
  - (i) the location of the proposed activity, referring to the municipality and the legal description;
  - (ii) brief details of the proposed activity;
  - (iii) notice that a person who is directly affected by the proposed activity may submit a written statement of concern to the Director, and the date by which the statement of concern must be submitted;
  - (iv) the locations where information about the proposed activity may be obtained or is available for public inspection;
  - (v) any other information the Director may require.

**(2)** The proponent must give a copy of the notice to the Director.

AR 112/93 s3;251/2001

#### **Screening report**

**4(1)** A screening report prepared by the Director under section 45(1)(a) of the Act must contain the following information:

- (a) the location of the proposed activity;
- (b) a summary of the purpose of the proposed activity;
- (c) a list of any sources of information used and the departments of the Government and Government agencies and the departments or agencies of the Government of Canada that were consulted by the Director or on the Director's behalf during the screening process;
- (d) a chronology of the events in the screening process, including a statement of whether any disclosure

documents were required under section 44(2) of the Act and a statement of the dates public notice was given under section 44(5) of the Act;

- (e) a list of persons who filed a statement of concern in accordance with section 44(6) of the Act and a brief summary of the issues arising from the statements of concern;
- (f) a biophysical description of the site of the proposed activity;
- (g) a description of existing on-site and adjacent land uses;
- (h) a description of human settlement in the area of the proposed activity;
- (i) an identification of the environmental issues associated with the proposed activity;
- (j) an identification of significant adverse effects that may result from the proposed activity.

**(2)** Keeping a screening report in the register as required by section 2(1)(i) constitutes making the screening report available for the purposes of section 45(2) of the Act.

AR 112/93 s4;251/2001

#### **Notice of decision re e.i.a. report**

**5(1)** Subject to subsection (2), compliance with section 2(1)(f) of this Regulation constitutes providing notice of the Director's decision regarding preparation of an environmental impact assessment report for the purposes of section 45(5) of the Act.

**(2)** The Director shall give notice of a decision under section 45(1)(b) of the Act to each person who submitted a statement of concern in respect of the proposed activity in accordance with section 44(6) of the Act.

AR 112/93 s5;243/93;251/2001

#### **Notice of proposed terms of reference**

**6(1)** Where a proponent is required to prepare an environmental impact assessment report, the notice of proposed terms of reference required under section 48(2) of the Act must be published in at least one issue of a newspaper that is approved by the Director and has general circulation in the area where the proposed activity is to be located.

- (2) A notice referred to in subsection (1) must contain the following information:
- (a) the name of the proponent;
  - (b) the type of proposed activity;
  - (c) the location of the proposed activity, referring to the municipality and the legal description;
  - (d) a statement that persons wishing to provide written comments on the proposed terms of reference may provide them to the Director by a date determined by the Director and specified in the notice;
  - (e) the locations where the proposed terms of reference and information about the proposed terms of reference may be obtained or are available for inspection;
  - (f) any other information that the Director may require.
- (3) The proponent must give a copy of the notice to the Director.
- (4) The proponent must make the proposed terms of reference available for inspection by any person during normal business hours and must provide a copy of the proposed terms of reference to any person who requests it.

AR 112/93 s6;251/2001

#### **Notice of final terms of reference**

- 7(1)** Where the Director issues final terms of reference under section 48(3) of the Act, the Director shall publish a notice in at least one issue of a newspaper having general circulation in the area where the proposed activity is to be located.
- (2) The notice must state that the final terms of reference are available for inspection in the register and give the addresses of other locations at which the final terms of reference are located.

AR 112/93 s7;251/2001

#### **Notice of e.i.a. report**

- 8(1)** Within 10 days after publishing and submitting an environmental impact assessment report to the Director under section 50 of the Act, the proponent shall publish a notice in at least one issue of a newspaper that is approved by the Director and has general circulation in the area where the proposed activity is to be located.
- (2) The notice must state that the environmental impact assessment report or a summary of it can be obtained free of charge from the

proponent at the address set out in the notice and that it is available for inspection at the address set out in the notice.

**(3)** For the purposes of subsection (2), a summary of the environmental impact assessment report must contain a brief discussion of at least the following:

- (a) the proposed activity, including site location and process description;
- (b) potential positive and negative environmental impacts of the proposed activity;
- (c) plans for mitigating potential negative environmental impacts;
- (d) all public consultation and participation that is, has been or will be occurring with respect to the environmental assessment of the proposed activity.

AR 112/93 s8;251/2001

**Coming into force**

**9** This Regulation comes into force on September 1, 1993.









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