

## [Getting Major Projects Built in Canada – Discussion Paper](#)

June 2, 2026

Submission to the [dedicated engagement in-box](#)

Thank you for the opportunity to provide feedback on the [Discussion Paper](#). Collectively, we have been practicing, studying, teaching about and participating in impact assessment for more than sixty years. We have had incredible opportunities to participate in project and regional assessments across Canada and internationally. We have also been actively engaged in the development of new and the revision of older assessment legislation and guidance.

As such, we are shocked and deeply concerned that the Carney government is attempting to advance sweeping, historic changes to Canada’s environmental protection framework through a process that is unusually opaque and severely limits public participation. Allowing only 30 days for Canadians to review and comment on six interconnected policy documents —each with far-reaching implications and raising far more questions than are answered—falls far short of the type of meaningful engagement necessary to consider such changes. Such actions by the government undermine public confidence in the integrity of the process itself.

And all this follows on the heels of the [Building Canada Act \(S.C. 2025, c. 2, s. 4\)](#) (also known as Bill C-5) being pushed through the legislature. The C-5 initiative was intended to increase the number of major project proposals, yet the discussion document introduces new actions to further induce like changes, without time having even been allowed for a PONI to be scheduled under C-5. Compounding these concerns, Bill C-5 is currently under litigation for allegedly failing to meet the government’s consultation obligations, further undermining confidence in the process. All this, while the volume of major project proposals reported by [Natural Resources Canada](#) has actually increased slightly since 2019, and the number of federal impact assessments has already been induced into a steady decline, with only one project triggering an assessment in 2022.

Given the shifts we are already seeing, we have very serious concerns about how much further the changes proposed in the discussion document will erode Canada’s environmental safety net, including laws, policies and programs in the name of trying to increase major project proposals. If faster project development is the intent, the proposal is missing clear guardrails to protect people and environment. These guardrails would necessarily include better opportunities for civil society to engage in impact assessment and post approval processes.

Having said that, for the remainder of this letter, we will focus our commentary on two of the questions proposed in the discussion document.

- What opportunities do you see emerging from these proposals to improve the assessments and permitting processes related to building major projects?
- What are your views/general impressions on these proposals to improve regulatory efficiency related to building major projects faster in Canada?



## What opportunities do you see emerging from these proposals to improve the assessments and permitting processes related to building major projects?

We do not view the options provided in the proposal as improvements to assessments or permitting processes. Nor do we see them as advancing the core objectives of efficiency, effectiveness and fairness in decision-making.

We support the principle of “one project, one decision.” Achieving this, however, requires genuine interdepartmental coordination. Departments with subject-matter expertise must be fully engaged in the process, not consulted as an afterthought.

As presented in the discussion paper, cooperation does not appear to be the default. Instead, the framework seems to grant the Minister of Environment, Climate Change and Nature (MEC) de facto primacy in process design. This approach potentially sidelines the very expertise that is essential to credible decision-making. It undermines the expectation that departments will meaningfully contribute their knowledge, uphold their moral and ethical responsibilities, and be heard. For the system to function, the MEC must not only convene these voices with the help of a willing Minister—it must listen to them. We strongly agree with the critique provided by [CELA](#), which challenges how this can be seen as extending the “one project one review” in assessment.

We are concerned that the current approach to “cooperation” is, in practice, facilitating a federal withdrawal from impact assessment and with the result that federal departments will actually lose expertise and willingness, rather than building a genuine one-window system (see, for example, our comments on the then [draft agreement with Manitoba](#)). Our analysis of the seven new agreements identifies a heavy reliance on provincial processes as substitutes for federal assessment, a model we view as neither defensible nor cooperative.

Returning to the discussion proposals at hand, we suggest the suite of proposed reforms as they are would significantly weaken the ability of the public[s] (e.g., Indigenous peoples, public, stakeholder groups, non-governmental organizations, not-for-profits, industrial associations, labour unions) to actually participate in decisions that may affect them, their communities, our nation and future generations. The proposed changes do not level the playing field; instead, they appear to entrench the interests of certain large industrial sectors (e.g., condensed timelines) at the expense of the constituents and rights holders.

Moreover, the way this proposed approach has been introduced—and the way it is being implemented—creates substantial litigation risk, which will ultimately slow project development. Courts do not possess the environmental expertise held by government agencies and Indigenous governments, making this an inefficient and avoidable pathway for resolving issues that should be addressed through a credible, inclusive assessment process.

## What are your views/general impressions on these proposals to improve regulatory efficiency related to building major projects faster in Canada?

Impact assessment is not a political exercise; it is a structured, least-cost planning process designed to ensure rigorous checks and balances. Expecting decision-makers to gather the necessary technical data, understand local conditions, and meaningfully engage the public within a single year is unrealistic. It reduces a complex, evidence-driven assessment to a superficial bureaucratic exercise, one which lacks credibility.

The logic can be simplified by comparing how we approach driver licensing. We require new and inexperienced drivers to complete a road test so they can demonstrate they can safely operate a vehicle in real-world conditions. Impact assessment serves the same purpose. It is not a delay tactic, it is a risk-management tool designed to protect the public. Imposing an arbitrary one-year limit on the process is the equivalent of reducing a road test to a single short block: there is simply not enough time or scope to identify, understand, or manage competency and or risks.

The need for a rigorous, risk-based process becomes even more apparent when considering the scale of the projects subject to federal impact assessment. These are not routine undertakings; they are major developments with far-reaching, and potentially irreversible, consequences for communities, ecosystems, and the national interest. The stated aim of the current reforms is to accelerate more of these large projects—projects that, precisely because of their magnitude, require careful, evidence-based scrutiny. They are the very definition of undertakings that demand thorough assessment to ensure their long-term impacts are beneficial and that they genuinely *Build Canada Strong*. Reducing the assessment process to an artificially compressed timeline does not support this goal; it undermines it.

Strong environmental assessments consistently lead to safer, more successful projects, while the absence of such oversight has resulted in some of Canada's most devastating environmental disasters (see [An Ounce of Prevention](#)). This report shows that projects like the Voisey's Bay Mine and the Ekati Diamond Mine avoided major harms because assessments forced better design, monitoring, and collaboration with Indigenous communities. In contrast, disasters such as the Dryden mercury contamination, which still affects 90% of Grassy Narrows residents, occurred where assessments were weak, absent, or poorly enforced. To the latter we would also include the legacy effects of arsenic at Giant Mine, and the contamination at the Sydney Tar Ponds. Across cases, the pattern is clear: when assessments are done well, communities and ecosystems benefit; when they are not, the environmental, social, and financial costs are staggering.

A one-year assessment process cannot produce the depth of analysis, consultation, or evidence required for decisions of this magnitude, and it risks locking Canadians into policies that are neither credible nor accountable. Alternatively, there must be careful consideration about the type of project and its potential impacts; only this should inform how quickly a project can proceed. Setting an arbitrary yet rigid timeline does not work.



As well, it is difficult to understand why, on one hand, the MEC is being positioned to hold decision-making authority over multiple departments with deep technical expertise (see above), while on the other hand, it is being proposed that Crown corporations either conduct their own assessments (e.g., for nuclear projects) or avoid environmental assessments for energy projects altogether.

We are particularly opposed to assigning responsibility to the CNSC and the CER for energy projects. These are regulators that many in the public view as being captured by industry. For example, the mandate of the recent predecessor of the CNSC explicitly included promotion of the industry.

In 1997 “the former Atomic Energy Control Board was renamed the Canadian Nuclear Safety Commission, as it remains today, and the mandate of “promotion” and “utilization” was removed and placed with Atomic Energy Canada Limited and the Minister under the Nuclear Energy Act.” 2022 Backgrounder prepared by the Canadian Environmental Law Association.

And the [Report of the Expert Panel on the Modernization of the National Energy Board](#) documented how “Canadians have serious concerns that the NEB has been ‘captured’ by the oil and gas industry”. These concerns were also echoed in [Expert Panel Report on impact assessment in Canada](#).

While some argue that Crown agencies possess sufficient expertise to justify giving them overriding authority, this claim simply does not hold up. Their expertise is narrow and sector-specific, and it does not replace the broad, multidisciplinary analysis provided through federal impact assessments—processes explicitly designed to surface risks to people, communities, and the public interest. That is precisely why hearings for major projects have historically been integrated with the Impact Assessment Agency: it ensures cooperative oversight, independent scrutiny, and a full accounting of potential harms. The current proposal abandons that model and instead hands responsibility to the very entities that stand to benefit from weaker oversight—effectively proposing to put<sup>i</sup> the fox in charge of the henhouse.

The provisions allowing nuclear projects already underway to follow the “newer process” must be eliminated because they will only confuse the public and erode trust in both the regulator and the final decision.

Finally, the idea of establishing economic zones based on a six-month regional assessment is indefensible.

### Concluding comments

There *are* real opportunities to strengthen approvals and assessment in Canada, but this discussion paper completely misses the mark. The questions posed are so narrow and poorly framed that they cannot generate the kind of constructive, solutions-oriented feedback needed to genuinely “Build Canada Strong.” We fully recognize the urgency of supporting the energy transition and responding to current economic realities, but nothing in the approach laid out here convinces us that it will achieve those goals. Instead of enabling better, faster, more trusted decisions, it risks weakening the very systems that make major projects viable, legitimate, and publicly supported.<sup>i</sup>

Sincerely,

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Commissioner, [Manitoba Clean Environment Commission](#)

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<sup>i</sup> Portions of this letter were subject to review by Microsoft Co-Pilot for editorial refinement only for clarity and style; the substantive intellectual content reflects our own research and analysis.