

MINAC
October 2023 Meeting
Public summary

Web page title: Summary of the Meeting of the Minister's Advisory Council on Impact Assessment – October 2023

Minister's Advisory Council on Impact Assessment (MINAC)

Summary of October 2023 Meeting

Recent activities

The Council met on October 3-4, 2023 in Ottawa and welcomed three new members appointed on September 1, 2023. They discussed the Minister's comments on their second report and possible areas of focus for their next round of advice for the Minister.

At the Council meeting, the President of the Impact Assessment Agency provided an update with respect to key activities at the Agency since the last MINAC meeting in April 2023 as well as what the Agency has heard regarding regulatory efficiency. Council members reviewed MINAC activities and recommendations since the creation of the Council, as well as the responses received from Ministers following the tabling of both MINAC reports.

Communication with the Minister

Council members found the response of Minister Guilbeault to MINAC's second report positive. The Minister's letter indicated he would appreciate the Council's views on the improvement of efficiency of impact assessment processes as well as considerations related to the outcome of the Supreme Court of Canada opinion, and asked MINAC to consider providing such advice through interim reporting, i.e. before the 2025 due date for the next MINAC report.

In the meeting with the Council, the Minister reiterated the need for advice on the efficiency of the impact assessment process in the context of the transition to a net-zero economy. He emphasized the challenge of getting to net-zero while ensuring the social acceptability of projects that will enable such a transition. The Chair confirmed that MINAC will provide the Minister with a letter of advice before the end of 2023.

Supreme Court of Canada Opinion

There was a short discussion regarding the Supreme Court opinion on the constitutionality of the *Impact Assessment Act*, expected to be released shortly. Recognizing the opinion will likely have some impact on the future implementation of the Act, the Agency had been considering possible scenarios depending on the nature of the Court opinion. There was a discussion about what role MINAC could play to support the continued effective implementation of impact assessment.

Regulatory efficiency

Council members identified the benefits and the potential risks associated with the development of a more efficient impact assessment process. Areas such as federal-provincial cooperation, meaningful partnerships and participation, as well as a better integration of the impact assessment regime with other legislative and regulatory systems were identified as potential avenues to pursue. Council members also indicated that many of their recommendations from the second report can contribute to improve efficiencies.

MINAC priorities for next report

The Council discussed its priorities for this cycle, leading to its third report in 2025. It was agreed that the issues that will be identified in MINAC interim advice to the Minister this Fall should be pursued further and be included in the 2025 report. Many other potential topics were identified such as adaptive management and impact assessment performance, the Regional Assessment Policy, Indigenous customary law, collaboration and cooperation, the Project List, decision-making under the Act, and the upcoming report from the Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools.