

What Options does the Minister have?

Environment Act, section 34(1)

34 (1) After an undertaking is registered pursuant to Section 33, the Minister shall examine or cause to be examined the information that is provided respecting an undertaking and shall determine that

(a) additional information is required;

- this may involve requests for specific information that the Minister needs or deems missing from Northern Pulp's application – Northern Pulp would have up to a year to provide this information, and a final decision couldn't be made until it was received.

(b) a focus report is required;

- requiring a focus report would involve a more in-depth report on one or several issues or potential impacts that were not addressed in the application – this could take up to a year to produce, followed by a further public comment period and analysis by NSE. The Minister couldn't make a final decision until the process was completed.

(c) an environmental-assessment report is required;

- An environmental assessment report is a much larger report, or series of reports, analysing the environmental issues raised by the entire project. This report would be produced within 2 years, and is then followed by a public review period, a review either by a Panel or by the Minister, and a decision would be made at the end of that process. The whole process could take up to 3 years or more to complete.

(d) all or part of the undertaking may be referred to alternate dispute resolution;

(e) a focus report or an environmental assessment report is not required, and the undertaking may proceed; or

(f) the undertaking is rejected because of the likelihood that it will cause adverse effects or environmental effects that cannot be mitigated