

**Publisher’s Note**

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| <p><b>CANADIAN ENVIRONMENTAL<br/>ASSESSMENT ACT:<br/>AN ANNOTATED GUIDE</b></p> <p><b>Beverly Hobby</b></p> <p><b>Release No. 2, September 2026</b></p> |
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This looseleaf service contains all the current case law and legislation and is your one-stop resource for a clear and complete understanding of the legislation and policies governing this area of law. Written by a team of experts who helped develop the Act, this resource includes: the historical context in which the *Canadian Environmental Assessment Act* was proclaimed; a detailed and practical commentary of each section of the Act with cross-references to other sections and regulations; a useful summary of relevant case law and cases pending before the courts; a useful summary of all important legal procedural issues addressed by the courts; as well as the text of the Act and main regulations. The full text of the *Impact Assessment Act* is now also included.

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### **What's New in this Update:**

This release features updates to Appendix IF—Issues in Focus and Appendix SLL—Selected Legal Literature.

### **Highlights:**

**APPENDIX IF—ISSUES IN FOCUS—What, generally, is the style of Canadian government? What is the division of powers between the federal and provincial government regarding environmental issues, and how and why can a change in government affect the civil service regarding environmental priorities?—Ontario—**

Generally speaking the provinces have jurisdiction over matters which occur within the boundaries of the province and which do not have national importance. However, environmental issues are often complex and have layers of impact. The trend of the federal government is to take a passive approach to environmental issues. If a province wishes to take jurisdiction over an environmental issue typically the federal government will not assert that it may have jurisdiction. The courts ultimately interpret what areas are subject to federal or provincial jurisdiction if the matter comes before the court. In Ontario, the Ministry of the Environment, Conservation and Parks has exercised its jurisdiction in the areas of regional air quality, brownfields redevelopment, water diversion and recycling, hazardous waste tracking and disposal, septage, water quality (drinking water regulations, laboratory testing and licensing), landfilling, pesticides, sewage treatment, and climate change.

**APPENDIX IF—ISSUES IN FOCUS—What, generally, is the style of Canadian government? What is the division of powers between the federal and provincial government regarding environmental issues, and how and why can a change in government affect the civil service regarding environmental priorities?—Alberta—**

In Alberta, the Ministry of Environment and Protected Areas has exercised its jurisdiction in the areas of regional air quality, climate change, fisheries, wildlife and forest management, water diversion and recycling, hazardous waste tracking and disposal, septage, water quality (drinking water regulations, laboratory testing and licensing), landfilling, pesticides, and sewage treatment. The Environment and Climate Change Canada webpage lists the acts which it is responsible for administering on behalf of the federal government including the Species at

*Risk Act* [generally], S.C. 2002, c. 29; the *Fisheries Act* [generally], R.S.C. 1985, c. F-14; and *Canadian Environmental Protection Act, 1999*[generally], S.C. 1999, c. 33.