

*Filing of an Addendum.*

#### **A.4.2.2 Revisions and Addenda to Environmental Study Report**

##### **Change In Project or Environment**

Due to unforeseen circumstances, it may not be feasible to implement the project in the manner outlined in the ESR. Any significant modification to the project or change in the environmental setting for the project which occurs after the filing of the ESR shall be reviewed by the proponent and an addendum to the ESR shall be written. The addendum shall describe the circumstances necessitating the change, the environmental implications of the change, and what, if anything can and will be done to mitigate any negative environmental impacts. The addendum shall be filed with the ESR and Notice of Filing of Addendum (see Sample Notice, Appendix 6) shall be given immediately to all potentially affected members of the public and review agencies as well as those who were notified in the preparation of the original ESR.

A period of 30 calendar days following the issue of the Notice of Filing of Addendum shall be allowed for review and response by affected parties. The Notice shall include the public's right to request a Part II Order within the 30-day review period (see Section A.2.8). If no request is received by the Minister, the proponent is free to proceed with implementation and construction. During the 30-day addendum review period, no work shall be undertaken that will adversely affect the matter under review. Furthermore, where implementation of a project has already commenced, those portions of the project which are the subject of the addendum, or have the potential to be directly affected by the proposed change, shall cease and shall not be reactivated until the termination of the review period.

##### **Lapse of time**

A time lapse may occur between the filing of the ESR and the implementation of the project. In such cases, the proposed project and the environmental mitigation measures proposed may no longer be valid.

*Review the project where a 5 year time period has occurred between filing of the ESR and commencement of construction.*

If the period of time from filing of the Notice of Completion of ESR in the public record to the proposed commencement of construction for the project exceeds five (5) years, the proponent shall review the planning and design process and the current environmental setting to ensure that the project and the mitigation measures are still valid

given the current planning context. The review shall be recorded in an addendum to the ESR which shall be placed on the public record.

Notice of Filing of Addendum shall be placed on the public record with the ESR and shall be given to the public and to the review agencies; a period of 30 calendar days shall be provided for review and response. The Notice shall include the public's right to request a Part II Order (see Section A.2.8) during the 30-day addendum review period. If no request is received, the proponent is free to proceed with implementation and construction.