



## Memo on Meaningful Public Participation in IA

### August 2025

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#### **EXECUTIVE SUMMARY:**

In this memorandum, the role of the public in impact assessment processes is discussed and best practices are identified for facilitating “meaningful public participation”, a recognized standard of public participation that has been shown to improve IA processes and outcomes when achieved.

Opportunities for public participation are generally open to all interested parties and can be distinguished from the Indigenous Consultation processes and legal obligations that derive from section 35 of the *Constitution Act* (i.e., the Duty to Consult), the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), and First Nations, Métis, and Inuit law. Indigenous rights-holders and other rights deserving groups are entitled to additional supports and require additional mechanisms to ensure meaningful engagement. Please see our memos on “*Indigenous-Led Assessments and Indigenous Knowledge*” and “*Intersectionality and Gender Based Analysis Plus (GBA+)*” for more information.

Best practice for facilitating meaningful public participation requires the incorporation of a suite of principles, elements, and practices, with particular attention to the engagement of Indigenous rights holders and other participants most likely to bear the brunt of any negative consequences. Public participants must be able to actually influence the decisions made during the IA process (i.e., decision impact), including the potential for substantial changes to the proposed development. There is also a need for regulators to be flexible and update regulatory standards to incorporate new approaches, including emerging best practices in the area of intersectionality and GBA+ analysis.

Experts such as Sinclair and Burdett (2024), Buhmann, et. al. (2025) and Fonseca and Fitzpatrick (2025), among others, have provided considerable guidance into the participatory practices that should be followed. Canadian regulators should look to this guidance as a framework for facilitating meaningful public participation in all IA jurisdictions.

#### **Research Questions**

- What is meaningful public participation in the context of impact assessment?
- What are current best practices for meaningful public participation in IA?

#### **Research Approach**

This memorandum builds off the basic information about post-approval practices included in our “Meaningful Public Participation” Fact Sheet. Best practices were drawn from

the analysis of IA experts in Canada, with a focus on recent publications by Buhmann, et al. (2025) and Burdett & Sinclair (2024).

### **Part 1: What is “Meaningful Public Participation”?**

The inclusion of diverse perspectives in IA processes, including public interests, has long been recognized as a best practice by IA experts. “Public participation in IA decision making is a basic tenet of democracy in that it reflects a rights-based approach to IA, meaning that those interested in or affected by a decision have a right to participate in those decisions.” (Buhmann, et al., 2025, 3) Thus, ‘public participation’ generally means “the active involvement of the public in the IA process through various means and techniques”. (Buhmann, et al., 2025, 3)

Opportunities for public participation are generally open to all interested parties and can be distinguished from the Indigenous Consultation processes and legal obligations that derive from section 35 of the *Constitution Act* (i.e., the Duty to Consult), the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), and First Nations, Métis, and Inuit law. Please see our memo on “Indigenous-led IA Processes” for discussion of ways to facilitate Indigenous-led IA in Canada. This memo should also be read with the understanding that there are additional approaches that should be incorporated into IA processes to engage members of rights deserving groups, including Indigenous rights-holders. Please see our memo on “and *Intersectionality and Gender Based Analysis Plus (GBA+)*” for more information.

Canada’s federal IA Agency has long recognized the benefits of meaningful public participation in IA processes and the need for engagement opportunities to go beyond the superficial. (CEAA, 2001) The insights provided by all participants must be incorporated into the analysis of decision-makers and be reflected, in a transparent way, in final decisions, among many other important considerations. Thus, experts encourage regulators to incorporate IA practices and regulatory requirements that facilitate “meaningful public participation”, a recognized core principle of IA best practice, into IA laws, regulations, and guidance documents. (Buhmann, et. al., 2025; Sinclair and Burdett, 2024)

#### **Who are the “Public”?**

In impact assessment, determining who is considered the “public” often depends on the particular context of the IA. Narrowly defining the public has led to missing voices from past IA processes. (Buhmann, et. al., 2025) As a result, there are a variety of descriptions and definitions recognized in regulatory and academic contexts, with experts recommending the adoption of a broad understanding of who the public is as individuals and communities can be vulnerable and/or susceptible to risks or adverse impacts in many ways. (Buhmann, et al., 2025)

Public participants have been defined and categorized based on a number of factors. Experts and regulators have most often focused on those stakeholders<sup>1</sup> who are “interested” in or “affected” by the project or plan being considered and how much control is given to the public during the IA decision-making process (i.e. the depth of their involvement in all aspects, including planning; their ability to influence IA outcomes, etc.). (Fonseca and Fitzpatrick, 2025;

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<sup>1</sup> Terminology typically varies by region and time. In Canada, it is most common to consider “public participation”, with a more recent turn towards “public engagement.” Describing participants as “parties” is also an inclusive term.

Burdett, 2024; Aarhus Convention, Art. 2(5)<sup>2</sup>) Most definitions are broad and inclusive of all interested individuals. For example, Buhmann, et. al. (2025), recognize two main groupings of stakeholder participants based on whether or not they are adversely affected by projects and plans, or whether they are involved in causing the potential or actual impacts:

- Affected stakeholders: are those participants “at risk of experiencing negative impacts” (Buhmann et. al., 2025) – e.g., individuals or groups of workers engaged in project activities, local community members from a project area.
- Nonaffected stakeholders: are those participants most often involved in causing project impacts. This generally includes the stakeholders who are not adversely affected or not likely to be adversely affected – e.g., managers, owners, or customers of a company, local or central governments, consultants providing expertise for impact assessments, investors, media, etc. (Buhmann, et. al., 2025)

Buhmann et. al., and other experts also specifically acknowledge the importance of meaningful inclusion of Indigenous rights holders, who often fall into the category of “affected” stakeholder. (Buhmann et al 2025; Fonseca and Fitzpatrick) Opportunity for meaningful public participation is particularly important to affected public participants who are vulnerable or marginalized (e.g., women, children, rural and remote communities). (Buhmann et. al., 2025) Overall, meaningful public participation is focused on creating opportunities that are “open to all interested parties and individuals”. (Sinclair and Burdett, 2024)

**What is “Meaningful Public Participation”?**

The term “meaningful public participation” describes an approach to IA that incorporates all of the “essential elements” of public participation recognized by leading IA experts. (Buhmann et. al., 2025) This requires creating opportunities for meaningful participation through the entire lifecycle of the project or plan and the active and critical exchange of ideas amongst all participants. (Buhmann et. al., 2025) Meaningful public participation is the terminology that is used most in a Canadian context, however, the term “meaningful stakeholder engagement” is also recognized and used to encompass the same (or very similar) principles and approaches. (Buhmann et. al., 2025) For example, Figure 1 below shows the breakdown of the concept of “meaningful stakeholder engagement”.

Meaningful	Stakeholder	Engagement
<ul style="list-style-type: none"> <li>- Genuine (no tick-boxing)</li> <li>- Inclusive</li> <li>- A process and an outcome</li> <li>- Technically sound</li> </ul>	<ul style="list-style-type: none"> <li>- Beyond shareholders</li> <li>- Person, group or organization</li> <li>- Who can affect or is affected</li> </ul>	<ul style="list-style-type: none"> <li>- Beyond consultation</li> <li>- Interactive</li> <li>- Two-way</li> <li>- Adaptive</li> </ul>

Figure 1: Figure 1.1 from Buhmann et. al., 11, 2025: “Key traits of the terms that make up the concept of meaningful stakeholder engagement”

Both meaningful public participation and meaningful stakeholder engagement literature calls for participatory opportunities that: “... establishes the needs, values, and concerns of the

<sup>2</sup> The Aarhus Convention refers to the ‘public concerned’, meaning ‘the public affected or likely to be affected by, or having an interest in, the environmental decision-making’ [Art. 2(5)].

public, provides a genuine opportunity to influence decisions, and uses multiple and customized methods of engagement that promote and sustain fair and open two-way dialogue”. (Fonseca and Fitzpatrick, 2025)

Not everyone is in favour or agreement in terms of the depth of involvement of the public in IA processes. Critiques of public participation in IA processes include:

- Participant dissatisfaction due to lack of information, late involvement in the IA decision cycle, and lack of financial support, among other problems.
- Participatory processes can be costly and time consuming (a perspective most often provided by proponents or government officials facilitating the process).
- Requirements for public participation can cause inefficiencies in the IA process. (Fonseca and Fitzpatrick, 2025)

There are also significant challenges in designing participatory IA processes. For example, Fonseca and Fitzpatrick (2025) identify three major knowledge barriers that create significant challenges when scoping participatory practices:

- *Determining the appropriate level of public engagement:* i.e., who should be allowed to participate, as well as how and when. The level of public engagement can be based on size of the project (e.g., budget, physical footprint), expressed public interest, or only focused on projects with novel components like new technology. The level of public engagement will often requires adjustment based on the specific context.
- *Balancing different perspectives and interests:* With the variety of stakeholders involved in IA processes, there are some who will face negative impacts and others who will benefit from project outcomes. Decision-makers must balance these perspectives in a transparent and accountable way, which is no easy task.
- *Subjectivity and uncertainty of impacts:* Proponents and government tend to be ill-equipped for organizing and understanding qualitative data – which is typically the main form of data contributed by the public. This can lead to misrepresentations and improper prediction of potential results, particularly social impacts.

Despite the critiques and the challenges identified, the benefits associated with meaningful public participation in impact assessment processes are broadly recognized by most categories of stakeholders. Meaningful public participation can improve impact assessment processes by:

- enhancing capacity for all stakeholders to understand a proposed project and its impact, and to effectively participate in IA processes,
- increasing access to local and traditional knowledge from diverse sources,
- identifying more effective mitigation of adverse social and environmental impacts and other harmful effects on sustainability and sustainable practices,
- maximizing positive effects,
- strengthening relationships between stakeholders,
- facilitating problem-solving and social learning,
- broadening the range of solutions considered by decision-makers,
- creating more public support for IA outcomes,
- improving transparency and accountability, and
- increasing public trust and legitimacy of government and institutions. (Sinclair and Burdett, 2024; MLRC, 2015; Buhmann et. al., 2025)

Overall, meaningful public participation is a concept that has been applied to IA processes in a variety of different ways. While there continue to be challenges for regulators and proponents to implement public participation processes that meet the standard of meaningful public participation, the benefits are considered to far outweigh any negatives.

## **Part 2: What are Best Practice Approaches for Facilitating “Meaningful Participation”?**

Meaningful public participation has long been considered one of the most important ‘best practice’ components of IA practices. (Fonseca and Fitzpatrick, 2025) However, when it comes to the design of IA processes that facilitate meaningful public participation, there may be considerable variance within and across different jurisdictions. This includes differences in terms of who can participate, how they participate, the scope of public input, and the timing of engagement processes. (Fonseca and Fitzpatrick, 2025) Overall, meaningful participation is understood to mean that there is an opportunity for parties to influence decisions made during the IA process, including the opportunity to say no or make substantial changes to the project being assessed. (Sinclair and Burdett, 2024)

Generally, the IA mechanisms that support meaningful public participation focus on:

- keeping the public informed,
- involving people to fill information gaps,
- creating opportunities for the public to contest statements and decisions,
- facilitating problem-solving and social learning,
- sharing the decision-making process with the public,
- including the views of marginalized and Indigenous groups, and
- broadening or shifting the locus of decision-making. (Fonseca and Fitzpatrick, 2025)

There is also emphasis on building relationships, face-to-face interactions between different stakeholders, and the flexibility to adjust IA processes to ensure accessibility and cultural sensitivity. (Fonseca and Fitzpatrick, 2025; Sinclair and Burdett, 2024)

The recommendations of experts for facilitating meaningful public participation in IA are captured in a range of different best practice and industry standards that have been adopted by government bodies and an increasing range of IA regulators. For example, the International Association for Public Participation Practice (IAP2) has developed a participatory framework for IA. (IAP2, 2023) As an international body advocating for public participation in all sectors including IA, IAP2 has been influential on public participation practice globally for the past few decades and is directly referenced in many guidance documents and regulatory frameworks. (Buhmann et. al., 2025)

First introduced in 1999, the intent of the IAP2 spectrum “was to create a framework to improve communication about what the community and other stakeholders could expect by way of their influence in any given public participation process”. (Buhmann et. al., 2025; IAP2, 2023) The IAP2 spectrum includes five levels of engagement, from “inform” to “empower” and recognizes tools that can facilitate engagement at each level. Some examples of tools for each level of engagement includes:

- **inform:** fact sheets, websites, open houses.
- **consult:** public comment, focus groups, surveys, public meetings.
- **involve:** workshops, deliberate polling.

- **collaborate:** citizen advisory committees, consensus-building activities, participatory decision-making.
- **empower:** citizen juries, ballots, delegated decisions. (IAP2, 2023)

While established frameworks like the IAP2 and the best practices identified IA experts have been increasingly adopted over the last decade, the concept of meaningful public participation continues to expand. For example, “intersectionality” is an element of IA that has been increasingly recognized as important in all contexts, including meaningful public participation. In Canada, this has been addressed at the federal level with the adoption Gender-Based Analysis Plus (GBA+) When contemplated as part of an assessment, GBA+ asks us to consider the needs, risks, impacts of decisions relating to the proposed project on gender identity groups at each stage of the impact assessment process. It also asks us to consider what, if any, mitigation measure must be put in place to address the anticipated impacts. Best practice guidance and expert analysis of GBA+ is under currently under development. For more discussion, see our *Memo on Intersectionality and Gender Based Analysis Plus (GBA+) in Impact Assessment*.

### **Essential Elements (Sinclair and Burdett, 2024)**

In the context of impact assessment, “essential elements” of meaningful public participation have been identified by experts over the past decade and most recently articulated by Sinclair and Burdett (2024) – See Table 1 below. These elements provide a useful framework for ensuring meaningful public participation in IA process that can be tailored to the size and complexity of the project or plan being assessed. A range of different policy and legal mechanisms can be used to ensure these elements are reflected in environmental governance practices.

*Table 1: Essential Elements for Meaningful Public Engagement in Impact Assessment (IA).*

Essential elements	Specific requirement for public participation
Adequate notice	• Direct notice to affected individuals and organizations.
	• Use of variety of methods including phone, email or social media.
	• Notice about assessment that includes information about where further information is located and where comments can be directed.
Access to information	• Transparent, ongoing and timely exchange of information among all parties.
	• Easy access through a public registry or other means.
Participant assistance	• Require participant assistance programs, with broad (but transparent) criteria, capturing need for assistance because of complex issues.
Opportunities for public comment	• Open to all interested parties and individuals.
	• Allows for consideration of “need for” and “alternatives to” the proposed project/plan (or components of it).
	• Interactive modes of participation beyond open houses and online written submissions.
	• Frequent and creative use of the hearing process.
	• Transparency, and timely written decision.
	• Inclusive, informal venues for deliberation.

Access to public hearings/Alternative Dispute Resolution (ADR)	<ul style="list-style-type: none"> <li>• Opportunities for negotiation and mediation.</li> </ul>
Early and ongoing participation	<ul style="list-style-type: none"> <li>• Public engaged in the design of the participatory programme to be followed.</li> </ul>
	<ul style="list-style-type: none"> <li>• Participation in all stages of IA, including the follow-up stage.</li> </ul>
	<ul style="list-style-type: none"> <li>• Reasonable timelines established.</li> </ul>
	<ul style="list-style-type: none"> <li>• Stakeholder involvement in assessment process choices.</li> </ul>
Deliberative forums	<ul style="list-style-type: none"> <li>• Emphasis on knowledge integration.</li> </ul>
	<ul style="list-style-type: none"> <li>• Face-to-face decision-making.</li> </ul>
	<ul style="list-style-type: none"> <li>• Open dialogue in a non-judgemental environment.</li> </ul>
	<ul style="list-style-type: none"> <li>• Establishing sustainability as a concept and a goal.</li> </ul>
	<ul style="list-style-type: none"> <li>• Include forms of alternative dispute resolution.</li> </ul>
	<ul style="list-style-type: none"> <li>• Incorporate future methods such as visioning and scenario development.</li> </ul>
Decision impact	<ul style="list-style-type: none"> <li>• Public input can impact and change the course of the decision at hand – it is not treated as advisory only.</li> </ul>
Learning oriented	<ul style="list-style-type: none"> <li>• The IA process promotes learning “about” and “through” IA for all participants.</li> </ul>
	<ul style="list-style-type: none"> <li>• The IA process fosters mutual learning among all participants.</li> </ul>
	<ul style="list-style-type: none"> <li>• Feedback is provided to participants about how their input has, or has not, been used, and why.</li> </ul>
	<ul style="list-style-type: none"> <li>• Require lessons from past assessments as well as process experiences be considered during future assessments and assessment reform processes.</li> </ul>
Fair and open	<ul style="list-style-type: none"> <li>• Public participation processes follow principles of natural justice and procedural fairness.</li> </ul>
	<ul style="list-style-type: none"> <li>• Transparent.</li> </ul>
	<ul style="list-style-type: none"> <li>• Open to all interested parties and individuals.</li> </ul>

The elements identified by Sinclair and Burdett are the most comprehensive and were developed largely in a Canadian context. When designing IA approaches in Canada, alignment with these essential elements should be a priority. They are widely cited as best practice and capture the desirable components of ‘meaningfulness’ that have been consistently highlighted by IA experts:

- Involvement of the public early in the process and throughout, including participation in decision-making over strategic development plans and programs;
- Adequate notice and sufficient time to prepare an informed submission;
- Provision of participant assistance, including funding and capacity-building;
- Participation opportunities that promote two-way dialogue and allow for learning
- Access to information to ensure transparency throughout the project life cycle;
- Implementing the principles of natural justice, including access to process, through hearing requirements, written and oral comments, and the right to challenge decisions; and
- Reporting back on how public comments are addressed, through tools such as an issues-tracking table. (Fonseca and Fitzpatrick, 2025)

## **CONCLUSION:**

Achieving meaningful public participation in an IA context requires dedicated planning and consideration of the specific needs and context within which stakeholders are participating. Best practice for facilitating meaningful public participation requires the incorporation of the suite of principles, elements, and practices described above, with particular attention to the engagement of Indigenous rights holders and other participants most likely to bear the brunt of any negative consequences.

Overall, participants must be able to actually influence the decisions made during the IA process (i.e., decision impact), including the potential for substantial changes to the proposed development. As our understanding of meaningful public participation changes over time, there is also a need for regulators to be flexible and update regulatory standards to incorporate new approaches, including emerging best practices in the area of intersectionality and GBA+ analysis.

While the specific actions and approaches needed to achieve meaningful public participation at the individual project level may vary, there are many core principles and practices that can be adopted by regulators. Experts such as Sinclair and Burdett (2024), Buhmann, et. al. (2025) and Fonseca and Fitzpatrick (2025), among others, have provided considerable guidance into the participatory practices that should be followed. Canadian regulators should look to this guidance as a framework for facilitating meaningful public participation in all IA jurisdictions.



## Resources

Buhmann, et. al. (eds.) (2025) *The Routledge Handbook of Meaningful Stakeholder Engagement* (Routledge: New York).

Buhmann, et al. (2025), “Meaningful Stakeholder Engagement: The Concept, Practice and Governance”, 3-39 Chapter 1 in *The Routledge Handbook of Meaningful Stakeholder Engagement* by Buhmann, et al (eds.) (Routledge: New York). [Buhmann, et. al, 2025]

Burdett, Tanya and A. John Sinclair (2024) “Setting the scene: public participation in impact assessment”, 2-27, Chapter 1 in *Handbook of Public Participation in Impact Assessment* (Edward Elgar Publishing Limited).

Canadian Environmental Assessment Agency. (2001). *Strengthening environmental assessment for Canadians*. Retrieved from Ottawa, Canada. 22 [CEAA, 2001]

Fitzpatrick, Patricia and Heather Fast, (2025) “Opportunities for Meaningful Engagement: A Canadian Perspective on Regulatory Tribunals”, 148-165 Chapter 9 in *The Routledge Handbook of Meaningful Stakeholder Engagement* by Buhmann, et al (eds.) (Routledge: New York) [Fitzpatrick and Fast, 2025]

Fonseca, Alberto and Patricia Fitzpatrick, (2025) “The Long and Winding Road to Meaningful Public Participation in Impact Assessment: A Review of Key Issues in the Brazilian and Canadian Federal Assessments”, 99- 120, Chapter 6 in *The Routledge Handbook of Meaningful Stakeholder Engagement* by Buhmann, et al (eds.) (Routledge: New York). [Fonseca and Fitzpatrick, 2025]

International Association for Public Participation, “IAP2: Public Participation Pillars”, 2023, online, <[https://cdn.ymaws.com/sites/iap2.site-ym.com/resource/resmgr/files/IAP2\\_Federation\\_-\\_P2\\_Pillars.pdf](https://cdn.ymaws.com/sites/iap2.site-ym.com/resource/resmgr/files/IAP2_Federation_-_P2_Pillars.pdf)> [IAP2, 2023]

Manitoba Law Reform Commission (2015), *Manitoba’s Environmental Assessment and Licensing Regime under The Environment Act* (Manitoba Law Reform Commission; Winnipeg, MB) [MLRC 2015]

Sinclair, A. John and Tanya Burdett (2024) “The essential elements of meaningful public participation in IA”, 28-46, Chapter 2 in *Handbook of Public Participation in Impact Assessment* (Edward Elgar Publishing Limited). [Sinclair and Burdett, 2024]