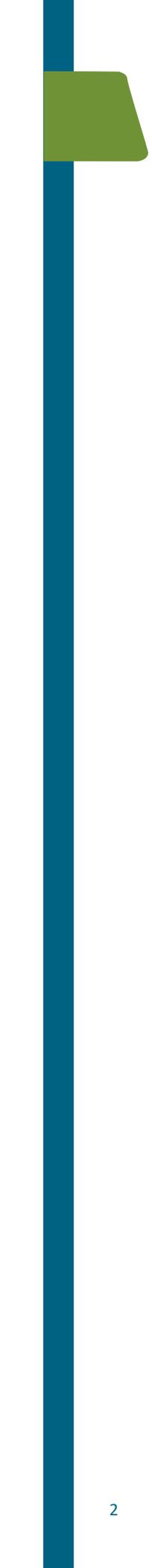Mackenzie Valley Environmental Impact Review Board

Strategic Plan 2018-2022

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MESSAGE FROM THE CHAIR

I am pleased to present the Mackenzie Valley Environmental Impact Review Board Strategic Plan for 2018-2022. This Strategic Plan was developed through collaboration between Board members and staff, including workshops where progress against the 2015–2017 Strategic Plan was reviewed, and the vision, goals, and objectives were updated to reflect the Board's current operating environment. This Plan has been approved for a longer period – five years – with annual reporting on performance measures, targets, and actions, as well as the opportunity for interim review and adjustment of priorities during the five-year period.

This Strategic Plan outlines the Board's operating environment, including external opportunities and threats, and internal strengths and challenges that we have faced, and continue to face. The Plan identifies the Mission, Vision, Values and Goals that guide the organization in its work. Associated with each of the goals are objectives that the Board is committed to implementing to achieve its goals and continue to respond to changes, leverage opportunities and strengths, and address threats and challenges. Finally, the Plan identifies performance measures and targets to help the Board remain on track to achieving its goals.

The Board is excited and optimistic about its work over the next five years and is proud of its contribution to representing the interests of the people in the Mackenzie Valley in relation to environmental impact assessment. The Strategic Plan as a whole will be reviewed and renewed upon the conclusion of its five-year term. Actions undertaken in relation to the plan will be reviewed and prioritized annually.

Sincerely,

JoAnne Deneron
Chair

BOARD GOVERNANCE

As a result of the Gwich'in Comprehensive Land Claim Agreement and the Sahtu Dene and Metis Comprehensive Land Claim Agreement, the *Mackenzie Valley Resource Management Act* (MVRMA) came into force on December 22, 1998 and established the Mackenzie Valley Environmental Impact Review Board (MVEIRB) as the main agency of environmental assessment and review in the Mackenzie Valley.

The purpose of the MVEIRB is to conduct environmental assessments, which are public processes, by undertaking a thorough study of a proposed development application in order to determine if it is likely to have significant adverse impacts on the environment or is likely to cause public concern.

The Board is a co-management body whose members are appointed by the federal, territorial, Tłıcho, Gwich'in, and Sahtu Governments. The jurisdiction of the Board applies to all lands in the Northwest Territories, excluding the Inuvialuit Settlement Region and Wood Buffalo National Park.

The members of the Board include:

- JoAnne Deneron (Chairperson)
- Bertha Norwegian (Dehcho Nominee)
- David Krutko (Gwich'in Nominee)
- James Wah-Shee (Tłıcho Nominee)
- Jim Edmundson (Federal Nominee)
- Joe Handley (Territorial Nominee)
- Kirby Marshall (Territorial Nominee)
- Sunny Munroe (Federal Nominee)
- Yvonne (Doolittle) Nakimayak (Sahtu Nominee)

The office of the Board is located in Yellowknife.

MISSION STATEMENT

We conduct fair, effective, timely, and evidence-based environmental impact assessment processes that consider:

a) the protection of the environment from the significant adverse impacts of proposed developments;

b) the protection of the social, cultural, and economic well-being of residents and communities in the Mackenzie Valley; and

c) the importance of conservation to the well-being and way of life of the Aboriginal peoples of the Mackenzie Valley.

VISION STATEMENT

Making wise environmental impact assessment decisions that balance the diverse values, interests, and knowledge of all residents of the Mackenzie Valley, while ensuring the protection of the environment for present and future generations.

VALUES

The following values guide the Board's decisions as we work toward realizing our mission, vision and goals.

Committed	• We are committed to our obligation and duty to ensure our decisions are balanced and respect the interests and knowledge of all communities in the Mackenzie Valley.
Balanced	• We consider both traditional knowledge and scientific knowledge.
Diverse	• We acknowledge and benefit from the diversity, unique backgrounds, knowledge, and perspectives of our Board and staff.
Fair	• Our processes are transparent to ensure fair, accessible, and accountable decisions and operations.
Inclusive	• We are inclusive and open, considering holistic perspectives and consulting and collaborating with each other and our parties to ensure the highest benefits for all.
Trust and Respect	• We strive to create an environment based on mutual respect, trust, and honesty that enables effective and efficient teamwork and consensus decision making.
Continuous Learning	• We value continuous learning and improvement, fostering an environment of innovation and adaptation.
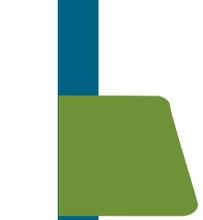
GOALS

Goal 1

Conduct timely, effective, and evidence-based Environmental Impact Assessment (EIA) processes

Goal 2

Be an efficient, innovative, adaptive and transparent Board

Goal 3

Enable and encourage inclusive and effective participation in EIA

Goal 4

Strengthen our role in, and contribute to, an effective integrated resource management system

CURRENT OPERATING ENVIRONMENT

The following tables provide an overview of the external opportunities and threats, and internal strengths and challenges associated with the Board's current operating environment. These have helped to inform the Strategic Plan.

We define:

Opportunities as factors in the external operating environment that could enable the Board to achieve its goals.

Threats as factors in the external operating environment that could limit the Board's ability to achieve its goals.

OPPORTUNITIES	THREATS
- Federal changes to environmental regulation - Supreme Court decisions and Aboriginal litigation with direct implications for EIA processes and the integrated resource management system - Development Certificates requirements come in to effect - Improving clarity around consultation - Improving traditional knowledge and cultural impact processes - Monitoring and following up on measures - More support for conducting regional assessments - Clarifying transboundary reviews - Moving to different types of technology and communications to improve engagement and transparency	- Federal changes to environmental regulation - Changing political priorities/parties (at all levels) resulting in legislative, policy, and/or funding implications - Supreme Court decisions and Aboriginal litigation with direct implication on the integrated resource management system - Lack of understanding from external parties of the regulatory and EIA processes - Unsettled land claims, lack of land use plans and timing of land use planning conformity - Lack of secure, ongoing participant funding - Lack of evidence available to inform EIA decisions - Lack of a clear project description and the state of the environment when a development enters EA - Multiple roles of some entities in the EA process requires delineation (developer, party, decision-maker, regulator, etc.) - Potential lose of community culture, language and traditional knowledge - Conflict in Aboriginal communities over priorities (environmental or cultural protection vs. economic opportunities) - Climate change impacts on the North

We define:

Strengths as factors internal to the Board that enable us to achieve our goals.

Challenges as factors internal to the Board that limit our ability to achieve our goals.

STRENGTHS	CHALLENGES
 • Full complement of Board members and more staff capacity • Continuity and commitment of Board and staff • Indigenous and female representation on the Board • The Board is developing into a strong, mature and stable organization • Progress on clarity of roles amongst the Review Board, Land and Water Boards, and other integrated resource management organizations and continued communications between groups • Strong relationships within and outside the NWT jurisdiction • Using traditional knowledge as a basis for decision-making • Board control over processes to ensure they are effective and inclusive	• Communications and coordination within the Board • Timely information to Board members • Adequate time for Board to make decisions at meetings • Adequate funding to support Board function • Updating and maintaining existing technologies, as well as introducing new technology • Demonstrating how traditional knowledge works within our processes and systems • Language challenges (Indigenous and French requirements) • Potential staff changes and recruiting Northern talent • Ability to implement professional development and training plans • Need for socio-economic expertise • Keeping up with new industrial technologies and understanding their long-term implications

OBJECTIVES BY GOAL FOR THE BOARD

GOAL	OBJECTIVES
Goal 1 Conduct timely, effective, and evidence-based Environmental Impact Assessment (EIA) processes	1.1 Ensure that good evidence is available to make the most informed EIA decisions 1.2 Meet legislative timelines 1.3 Ensure traditional knowledge is meaningfully considered 1.4 Ensure that measures are implemented and effective 1.5 Have clear EIA related policies and guidelines in place

Goal 2
 	
Be an efficient, innovative, adaptive and transparent Board
	2.1 To have knowledgeable, informed and adaptive Board and staff
	2.2 To have a Board that is a leader and innovator in:
	    a) EIA practice in Canada and beyond
	    b) the integrated resource management system of the NWT
	2.3 Proactively make relevant Board documents, policies and decisions available to the public in an accessible manner
	2.4 Continually review and update internal Board policies, guidelines, and practices (and develop new ones when required)

Goal 3 Enable and encourage inclusive and effective participation in EIA	3.1 Build awareness and understanding of the Board's mandate and processes 3.2 Improve awareness of the public's role in the EIA process 3.3 Improve awareness of parties' role in the EIA process 3.4 Facilitate the effective participation of interested parties and the public in the EIA process
Goal 4 Strengthen our role in, and contribute to, an effective integrated resource management system	4.1 Develop and strengthen partnerships and relationships within the Mackenzie Valley and adjacent jurisdictions, as well as with other relevant organizations related to the EIA process 4.2 Improve collaboration within the integrated resource management system as a whole

BOARD PERFORMANCE MEASURES AND TARGETS

The Board has identified a number of actions to implement this Strategic Plan and achieve our goals and objectives. Below we identify the performance measures and targets to be tracked and updated to reflect our progress, and to consider when evaluating our performance against the Strategic Plan. These measures, and associated targets, will inform adjustments to the Board's actions, and will continue to be refined as we move forward.

GOAL	PERFORMANCE MEASURES	TARGETS
Goal 1 Conduct timely, effective, and evidence-based Environmental Impact Assessment (EIA) processes **Objectives** 1.1 Ensure that good evidence is available to make the most informed EIA decisions 1.2 Meet legislative timelines 1.3 Ensure traditional knowledge is meaningfully considered 1.4 Ensure that measures are implemented and effective 1.5 Have clear EIA related policies and guideline in place	• Ability of the Board to ensure adequate information for decisions throughout EA process	• Ensure the Board has an explicit opportunity and clear criteria to assess adequacy of information at specific EA process steps (e.g. new policy/guidance development)
	• Engagement with key parties to improve the quality of information received	• Direct communication with key parties about the relevance and need for their participation in each EA • Avoid the need to use or threaten subpoena
	• Timeliness of EAs	• All EAs completed within legislated timelines for Board time
	• Extent to which traditional knowledge is considered and incorporated in project planning, assessment of impacts, and establishment of mitigations and monitoring	• Implement mechanisms to evaluate and ensure adequate consideration and incorporation of traditional knowledge by the developer in EA submissions (e.g. through EA initiation requirements, standard requirements for the Developer's Assessment Report [DAR] and EA Terms of Reference) • Active participation and contribution of traditional knowledge by Aboriginal groups and traditional knowledge holders in every relevant EA • Include traditional knowledge in all relevant monitoring

GOAL	PERFORMANCE MEASURES	TARGETS
		programs linked to EA measures or suggestions
	• Decisions not judicially reviewed	• Zero judicial reviews
	• EA project-based measures implemented	• Annual Reporting on measure implementation is complete and on time • If measures are not implemented, investigate and report internally on why
	• Completion of new or updated EA policy and guidance	• 2 per year
Goal 2 Be an efficient, innovative, adaptive and transparent Board **Objectives** 2.1 To have knowledgeable, informed and adaptive Board and staff 2.2 To have a Board that is a leader and innovator in: • EIA practice in Canada and beyond • Within the integrated resource management system of the NWT 2.3 Proactively make relevant Board documents, policies and decisions available to the	• Full Board and staff complement	Board • Maintain quorum at all times and avoid interruptions of Board business due to lack of quorum, including quorum issues that may arise due to scheduling, health, or apprehension of bias Staff • Sufficient resources for workload
	• Establishment and implementation of Board and staff training plans	• All staff have developed training plans within 1 year • At least 50% of staff and Board complete one professional development course/activity each year
	• Presentations on Review Board initiatives/case studies/practices at workshops (Mackenzie Valley) and conferences (national/international)	• Presentations on Review Board practices in at least 3 external workshops/ conferences per year
	• Reasons for decision produced	• Reasons for decision produced for all major Board decisions during EA (scoping, rulings, etc.)
	• Public reporting of finances and policies	• All published on website, including financial statements, schedule of honoraria and travel expenses

GOAL	PERFORMANCE MEASURES	TARGETS
public in an accessible manner 2.4 Continually review and update internal Board policies, guidelines, and practices (and develop new ones when required)	• Document availability and accessibility on the online public registry	• All EA documents posted to registry (for confidential documents, large maps, etc., a notice will be posted to the registry to show that such documents exist on the record) • Online database to supplement public registry for major EA documents that is easy to browse, search, etc. • Fully functional preliminary screening registry on website within 1 year (abbreviated version maintained until then)
	• *Access to Information* requests processed efficiently	• Process any ATIP requests in a timely manner and within legislative timelines
	• Board internal policies and bylaws up to date and publicly disclosed	• Review and update at least one policy per year and all within strategic planning period • Publish all internal board policies and bylaws
Goal 3 Enable and encourage inclusive and effective participation in EIA **Objectives** 3.1 Build awareness and understanding of the Board's mandate and processes 3.2 Improve awareness of the public's role in the EIA process 3.3 Improve awareness of parties' role in the EIA process 3.4 Facilitate the effective	• Annual Practitioners/ MVRMA Workshops	• At least one workshop hosted or co-hosted by the Review Board in a different region each year
	• Other outreach activities focussed on parties to the process and Mackenzie Valley residents, such as community visits, school visits, etc.	• All EA scoping sessions include an outreach and education component • At least 10 organizations directly engaged (e.g. bilateral meetings) by the Review Board in outreach activities per year • Participate in at least 3 outreach/collaborative workshops each year (e.g. CIMP, Water Strategy)
	• Community hearings and cultural impact sessions	• Hold community hearings and cultural impact sessions where there is community interest
	• Publishing Board newsletter	• Newsletter published and promoted twice a year

GOAL	PERFORMANCE MEASURES	TARGETS
participation of interested parties and the public in the EIA process	• Develop media orientation/ training for journalists	• Deliver at least once each year
	• Functionality of the Online Review System	• Improve system for Information requests within one year
Goal 4 Strengthen our role in, and contribute to, an effective integrated resource management system **Objectives** 4.1 Develop and strengthen partnerships and relationships within the Mackenzie Valley and adjacent jurisdictions, as well as with other relevant organizations related to the EIA process 4.2 Improve collaboration within the integrated resource management system as a whole	• Extent of engagement on new or updated policies and guidelines	• All new or updated policy/guideline development includes multiple engagement opportunities (e.g., workshops, focus groups, written comments) that go beyond legal requirements for consultation
	• Collaboratively develop policies or guidelines	• Develop collaborative project through the Pan-Territorial Forum or other Forums and work toward their completion
	• Staff sharing and joint training	• Share staff with other organization(s) at least once during the strategic planning period • Participate in one joint training exercise per year
	• Number of MOUs / cooperation agreements in place	• Establish/renew MOUs where there are potential transboundary implications, so they are in place before project-specific issues arise
	• Extent of participation in − NWT Board Forum − Pan-Territorial Board Forum − Arctic Council Sustainable Development Working Group (SDWG)	• Participation in all formal meetings • Lead at least one sub-committee • Participate on at least one steering committee
	• NWT Board Forum training materials updated and maintained	• Update public hearings training course within one year • Arrange for delivery of one in-person training course each year