



# GUIDELINE FOR AN OPTIONAL PATHWAY FOR MAJOR PROJECTS TO ENTER ENVIRONMENTAL ASSESSMENT

Outlining the process and information needed for the Review Board to consider ordering a major project to environmental assessment.





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# EXECUTIVE SUMMARY

## Purpose of this Guideline

This document (the Guideline) describes an optional pathway to environmental assessment (EA) for major projects and the information required for the Review Board to consider ordering an EA through this pathway.

## Who is this Guideline for?

This Guideline is for developers of major projects—like a new mine, pipeline, highway, hydro facility, or oil-and-gas production facility—who can expect their project to undergo an EA and want to pursue an optional pathway to EA.

## The optional pathway to EA for major projects

The *Mackenzie Valley Resource Management Act* (the Act) describes three pathways for proposed developments to be subject to EA. The first is through a preliminary screening, as described in s. 124. The second is referral from a department, agency, First Nation, or local Government as described in s. 126(2). The third pathway, described in s. 126(3) and (4) is based on a discretionary decision made by the Review Board, and allows the Review Board to order a proposed development directly to EA notwithstanding the result, or even the commencement of a preliminary screening.

This Guideline is for developers who choose to request that the Review Board use its s. 126(3) decision-making authority to order an EA. The Review Board has discretion under s. 126(3) to order an EA for any proposed development, whether or not the developer has followed this Guideline.

## Following this Guideline requires developers to work differently in pre-EA project development phases and can lead to more efficient EAs

The approach described in this Guideline requires a developer to work intensively and early-on with potentially affected communities and Indigenous

Governments or organizations to gather information that might be relevant to an EA. A decision by the Review Board to exercise its discretion and order an EA based on comprehensive information about the project could allow for a more focused and efficient EA process. Developments ordered to EA in this way would still have to satisfy the normal regulatory requirements set out by territorial and federal law if and when the EA is completed. Similarly, authorizations from Indigenous Governments or First Nations would also be required.

## Developers can request the exercise of the Review Board's discretion to order an EA by submitting a *Proposal for Development*

A developer who wants to request that the Review Board exercise its s. 126(3) discretionary authority to order an EA must provide the Review Board with the information necessary to inform its decision in a *Proposal for Development*. Chapter 3 of this Guideline lists the information that must be included in such a *Proposal for Development*. The appendices give additional guidance on the type of information and level of detail that might be required. *Proposals for Development* should be tailored to the proposed development, but must include:

1. a detailed project description
2. relevant and detailed environmental baseline data
3. potential impacts and mitigations
4. a *Developer's Assessment Proposal* and
5. a description of engagement activities

Developers must make best efforts to provide the information described in this Guideline. The purpose of the *Proposal for Development* is to persuade the Review Board to exercise its discretion to order an immediate EA of the development. Perfection is not required. The EA process itself will test and supplement the information required by this Guideline

# DEFINITIONS AND ABBREVIATIONS USED IN THIS GUIDELINE

Unless otherwise described, this Guideline uses the same definitions as the Act.

Term	Definition
The Act	<i>Mackenzie Valley Resource Management Act</i>
alternative means	An alternate project component or activity or way of carrying out the project, other than that being proposed, that is technically and economically feasible, and is environmentally acceptable
cumulative effects	Impacts resulting from the impacts of a proposed development in combination with other past, present or reasonably foreseeable future developments and activities
Developer's Assessment Report (DAR)	A report submitted by the developer in response to the Review Board's <i>Terms of Reference</i> that describes the proposed development, its potential impacts, and proposed mitigations.
Developer's Assessment Proposal	A part of the <i>Proposal for Development</i> that describes how the developer intends to assess the impacts of its project.
developer	The proponent of the proposed project
EIA	The process set out in Part 5 of the Act that includes preliminary screening, environmental assessment (EA), and environmental impact review (EIR)
<i>Proposal for Development</i>	A set of documents containing the information required to request that the Review Board exercise its discretion under ss. 126(3) and (4) of the Act as described in this Guideline
major project	A development (as defined in s.111(1) of the Act) that is large in scale, complexity, issues, or potential impacts, likely to require an EA and that might be a cause of significant adverse impacts or public concern. Major projects could include developments such as a new mine, pipeline, highway, hydro facility or oil and gas production facility.
Review Board	Mackenzie Valley Environmental Impact Review Board
MVLWB	Mackenzie Valley Land and Water Board



<b>pathway of effect</b>	The chain of events between an initial cause and the resulting direct or indirect effect or impact (the way an impact occurs)
<b>project area</b>	The physical location of the development and affected surrounding landscape
<b>scope of assessment</b>	What the Review Board will examine during the EA, including the effects of the proposed development on the environment, priority issues for the EA and how they will be examined, and effects of the environment on the project (see s.117(2) of the Act).
<b>scope of development</b>	The parts of the proposed development, including the principal development and all other physical works or activities required for the development to proceed, as determined by the Review Board (see s. 117(1) of the Act)
<b>Terms of Reference</b>	A Review Board document that identifies the information a developer must provide in its <i>Developer's Assessment Report</i> and describes the scope of development and scope of assessment for an EA
<b>Indigenous Traditional Knowledge</b>	Living Indigenous Knowledge passed across generations, including knowledge, values and beliefs about the environment, its use and management. <sup>1</sup>
<b>valued component</b>	A part of the biophysical or human environment that may be affected by a proposed development and that is identified as important, such as having ecological, social, cultural, economic, historical, archaeological, or aesthetic importance
<b>Indigenous Government or Organization</b>	Includes an organization representing a First Nation (as defined in s. 2 of the Act), a Métis, Inuit, or other affected Indigenous organization, the Tłı̨cho Government, or the Délı̨ne Got'ine Government

<sup>1</sup>See the Review Board's [Guidelines for Incorporating Traditional Knowledge in Environmental Impact Assessment](#) for more information.



# 1. INTRODUCTION

## 1.1 Purpose of this Guideline

The *Guideline for an optional pathway for major projects to enter environmental assessment* (the Guideline) outlines the process and information needed for the Review Board to consider in exercising its discretion to order a major project to environmental assessment (EA). It:

- describes an optional pathway for developers of major projects to request that the Review Board exercise its s. 126(3) authority to order an EA notwithstanding the result or commencement of a preliminary screening;
- identifies how the optional pathway differs from other pathways to EA; and
- sets out the information requirements for developers wishing to pursue the optional pathway to EA.

### The Review Board's objectives in creating this Guideline are:

- ensuring it gets the information it needs when deciding whether or not to order a project directly to EA
- promoting early, ongoing, respectful collaboration between developers and potentially affected communities and Indigenous Governments or Organizations
- decreasing the overall time for project approvals in the Mackenzie Valley through more effective and efficient environmental impact assessment processes

## 1.2 About the Review Board

The Review Board conducts EAs and environmental impact reviews in the Mackenzie Valley of the Northwest Territories.<sup>2,3</sup> The Review Board's mandate comes from Part 5 of the Act. The Review Board used its authority under s. 120 of the Act to approve this Guideline.

## 1.3 Application of the Guideline

This Guideline is **not intended** to apply to proposed developments that follow one of the standard pathways to EA identified in the Act and described below. Rather, it is intended to:

- provide guidance to developers of major projects who plan to ask the Review Board to use its discretionary authority to order an EA of the proposed development prior to the commencement of a preliminary screening; and
- describe the information the Review Board needs when making its discretionary s. 126(3) determination; and
- ensure that adequate information about the proposed development, its potential impacts and proposed mitigations is available to support the start-up and scoping phases of an EA, should the Review Board decide to order one.

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<sup>2</sup>See subsection 114(a) of the Act.

<sup>3</sup>This Guideline does not apply to developments that are referred to environmental impact review.



# 1.4 The Act identifies three pathways for projects to come to the Review Board for EA.

## Pathway 1 – Preliminary Screening – s. 124 of the Act

The first and most common pathway is when an application required for a regulatory licence, permit, or other authorization undergoes a preliminary screening by the relevant regulatory authority or designated regulatory agency. Preliminary screening is usually done by one of the Land and Water Boards of the Mackenzie Valley.<sup>4</sup> If the preliminary screener determines that the proposed development might be a cause of significant adverse impact on the environment or public concern, it refers the proposed development to the Review Board for EA. Most proposed developments that undergo preliminary screening are not referred to EA. There are additional requirements for preliminary screening of proposed developments that do not require an application<sup>5</sup>, but these are less common and have not led to a referral to EA in the past.

## Pathway 2 – Referral from a department, agency, First Nation or local Government – s. 126(2)

A department or agency of the federal or territorial government, the Gwich'in and Sahtu First Nations, Tłı̄cho Government or local government may refer a proposed development to EA notwithstanding the determination on a preliminary screening or by preliminary screening conducted under s.124. This pathway has been used on several occasions where either the developer or another party has requested a referral or if the referral organization determined that the project required an EA due to the potential for significant adverse impact or public concern.

## Pathway 3 – Review Board's own motion – s. 126 (3)

The third pathway occurs when the Review Board uses its own discretionary authority to order an EA of a proposed development. The Review Board has used this authority on occasion to order an EA of a proposed development that was undergoing a preliminary screening or after a preliminary screening determination had been completed. As with pathway 2, this motion to order an EA does not require a preliminary screening to be commenced or completed as per ss. 126(4). **This Guideline relates to Pathway 3. For the purposes of this Guideline, Pathway 3 will be called "the Optional Pathway".**

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<sup>4</sup>Sections 124(2) and (3) of the Act also give preliminary screening authority to regulatory authorities, designated regulatory agencies, Indigenous Governments and First Nations.

<sup>5</sup>See section 124(2) of the Act.

# 1.5 How this Guideline fits with other Review Board Guidelines

The Review Board has several other guidelines that work together to describe EIA processes in the Mackenzie Valley and provide advice on relevant topics that supplement and support this Guideline (Figure 1). Many of the planning and engagement strategies discussed in the other guidelines are also relevant for users of this Guideline. All Review Board guidelines are available on our website at [www.reviewboard.ca](http://www.reviewboard.ca).

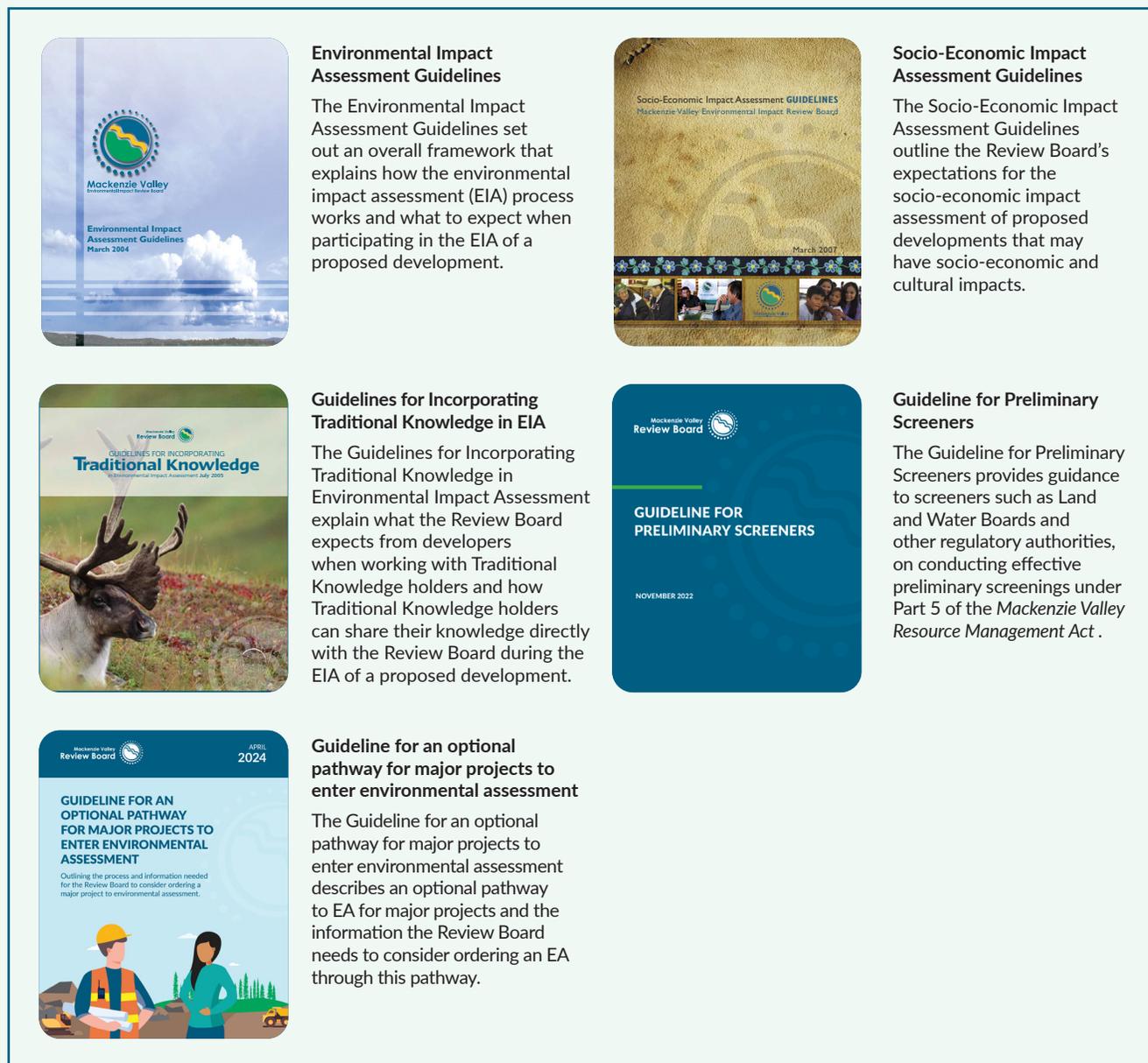


Figure 1: Review Board guidelines on the Environmental Impact Assessment Process



# 2. PATHWAY 3 - THE OPTIONAL PATHWAY TO EA

## 2.1 Who can use the optional pathway

The optional pathway to EA is best suited for developers of major projects that are likely to require an EA because of the potential for adverse environmental impacts or public concern. Developers of major projects may choose to request a direct referral to EA from the Review Board.

## 2.2 How the optional pathway differs from the standard process

The optional pathway to EA does not necessarily change the type or level of information that will be required for the EA and does not change any legal requirements for the subsequent regulatory processes. It does, however, change the timing of when developers submit information. The steps a developer should take if it chooses to follow the optional pathway are described in Figure 2.

In general, the more thorough the early work a developer does and the more relevant information it provides, the more likely the Review Board is to exercise its discretion and order an EA for that proposed development. (See Figure 3)

**Projects that are likely to require an EA include:**

- large or complicated projects like new mines, highways, hydroelectric facilities, oil and gas production facilities or pipelines
- projects that use new or untested technologies
- significant expansion or extension proposals to existing developments

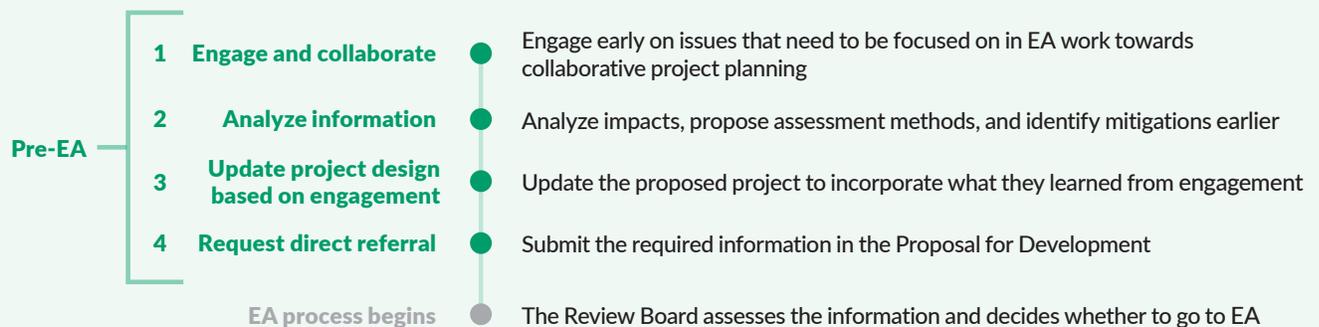


Figure 2: Steps for developers who choose to follow the optional pathway to EA

<sup>7</sup>Note that section 24.1 of the Act requires that the Review Board coordinate with other boards, government departments, and other organizations in the interest of efficient and coordinated processes.

<sup>8</sup>Please see the Review Board’s Guideline for Preliminary Screeners for more information on the preliminary screening process



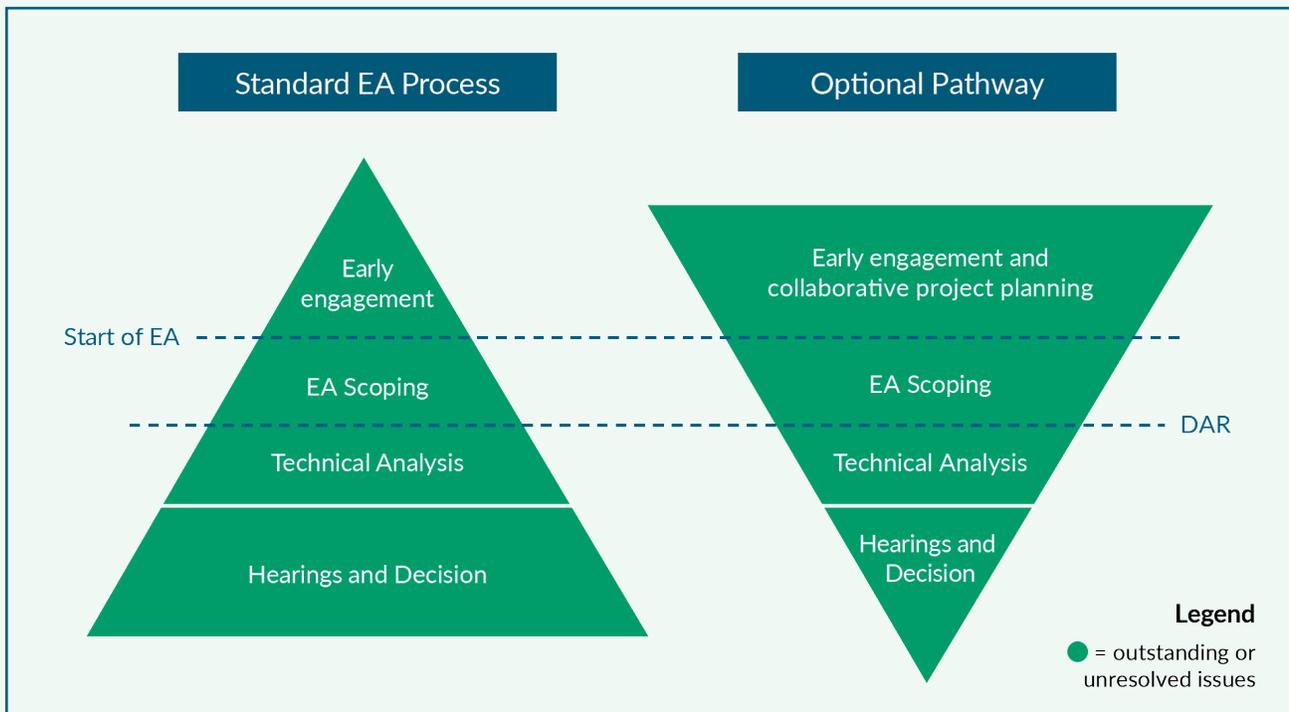


Figure 3: Comparison of existing EA process versus optional pathway to EA.

## 2.3 How the Review Board considers a request to order an EA

The Review Board has the discretion to order any proposed development to EA. If the Review Board receives a *Proposal for Development* and request for direct referral to EA from a developer, it will post the *Proposal for Development* and any supporting documents to the public registry under "other Board decisions". If the Review Board orders the proposed development to EA, it will transfer these materials to the public registry for the new EA.

To decide whether use its s. 126(3) authority to order an EA based on a request from a developer following the optional pathway to EA, the Review Board will consider:

- if the developer provided the information described in this Guideline (that is, a complete and comprehensive *Proposal for Development*) and whether there is enough relevant information to start an EA,
- the type and level of engagement and collaborative project planning a developer has done and how responsive they have been to the feedback they received,
- any other matter the Review Board deems relevant.

## How the Review Board will consider the request for an EA

For proposed developments following the optional pathway that are likely to require an EA due to the potential for significant adverse impacts or public concern and that are sufficiently advanced in their planning processes for EA, the Review Board may make one of two determinations:

1. The developer has submitted sufficient information and the project should go to EA.<sup>6</sup>
2. The developer has not submitted sufficient information. In this case, the Review Board could deny the developer's request to order an EA.

In each scenario, the Review Board will issue a Reasons for Decision on the matter.<sup>7</sup>

## If the Review Board decides to start an EA

It will send the developer a *Reasons for Decision for ordering the development to EA* and *Notice of Environmental Assessment* and open the public register for that EA. The Review Board will add all relevant documents listed in Chapter 3, as well as the Notice of Environmental Assessment to the public register and the EA will formally begin. This is when the Review Board's legislated timelines will start.<sup>8</sup> The Review Board will also notify all relevant regulators for the proposed development and potentially affected communities or Indigenous Governments about the initiation of an EA.

## If the Review Board decides not to begin an EA

It will send the developer its *Reasons for Decision* for not ordering the commencement of an EA and post the *Reasons for Decision* to the Review Board's website.

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<sup>6</sup>In such cases, the Review Board will likely require any missing or additional required information in the *Terms of Reference* or later in the proceeding. (See Appendix C for more detail).

<sup>7</sup>As required by s. 121 of the Act.

<sup>8</sup>The timelines for EA described in the Act include 9-months and 16-months for proceedings with and without a hearing, respectively.

**The optional pathway to EA can lead to more efficient, effective, and focused environmental impact assessment processes through:**

**1. Increased system-wide efficiency**

Major projects that are likely to come to EA do not have to go through a preliminary screening for a regulatory authorization before the EA, saving time and resources.

**2. More targeted and efficient pre-EA work**

Water licence or land use permit applications have specific requirements which can differ from EA requirements. Developers who chose the optional pathway to EA focus their early engagement and project planning work on issues relevant to EA.

**3. Better participation and better evidence in the EA**

The optional pathway requires developers to engage meaningfully with affected parties on issues that are relevant to an EA. This focused, early engagement could help everyone gain a better understanding of the proposed development, its potential impacts, and what mitigations might be required. This can lead to better evidence during the EA, which creates better conditions for the Review Board to make decisions.

**4. Effective and efficient EAs**

The Review Board can run more focused and efficient processes if it has more relevant information at the beginning of the EA and developers have proactively worked to resolve issues with communities and IGOs (see Figure 4). This:

- helps the Review Board to identify and focus on the most important or unresolved issues and
- narrows the scope of the EA, which may lead to a more focused *Terms of Reference*, *Developer's Assessment Report (DAR)* and Information Requests



### 3. PREPARING A PROPOSAL FOR DEVELOPMENT

Developers who want to ask the Review Board to exercise its discretion under s. 126(3) to order an EA must do so by submitting a *Proposal for Development* to the Review Board.

The *Proposal for Development*:

- forms the basis of information the Review Board uses to decide whether to start an EA,
- helps to focus the EA, if initiated, on what matters most, and
- can be used during an EA, if so ordered, to help inform parties about the proposed development, its potential impacts, and proposed mitigations.

The required sections of a *Proposal for Development* are described in Table 1. The table also describes:

- which parts of Chapter 3 in this Guideline explain each section in more detail, and
- the related appendices of this Guideline that contain detailed guidance for each section.

**The Review Board expects developers to incorporate Indigenous Traditional Knowledge into their *Proposal for Development***

Including Indigenous Traditional Knowledge in environmental impact assessment processes is required by the Act and the land claims agreements in the Mackenzie Valley and leads to better decisions about environmental impacts. Developers must clearly describe how Indigenous Traditional Knowledge was used in its *Proposal for Development*. See the Review Board's *Guidelines for Incorporating Traditional Knowledge in Environmental Impact Assessment* for more information.

#### Developers can build on their *Proposal for Development* during the rest of the EA

The level of detail, breadth and depth of information provided in a *Proposal for Development* may vary by project. The Review Board expects developers to build on and supplement the information provided in the *Proposal for Development* if and when preparing their *Developer's Assessment Report* (Figure 4).

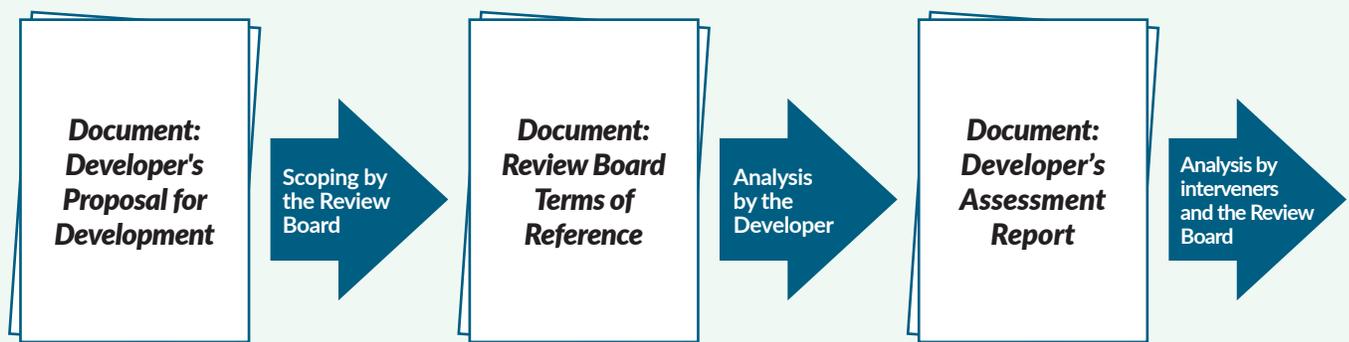


Figure 4: Flow of information during the scoping and analysis phases of an EA.

Table 1: Potential timing shifts for information requirements with the direct referral pathway.

Proposal for Development Section	Purpose	Required Information	Where to find more information in this Guideline
<p><b>1.Detailed Project Description</b></p>	<p>Describe the proposed development and associated activities so that the Review Board and interested parties know what is being proposed.</p>	<p>Basic Project Information</p> <ul style="list-style-type: none"> <li>• Project type, location, timeline</li> <li>• Conformity with land use plans</li> <li>• Required regulatory authorizations</li> </ul> <p>Project Components</p> <ul style="list-style-type: none"> <li>• Describe required infrastructure, utilities, human resources, and necessary activities</li> </ul> <p>Plain language summary</p>	<p>Section 3.1 Appendices D and E</p>
<p><b>2.Environmental Baseline Information</b></p>	<p>Describe the project area and important aspects of the biophysical and human environment that may be affected by the proposed development. Environmental baseline data must include a summary and a plan.</p>	<p>Biophysical environment description</p> <ul style="list-style-type: none"> <li>• Air, water, aquatic life, vegetation, wildlife</li> </ul> <p>Human environment description</p> <ul style="list-style-type: none"> <li>• Communities, traditional land use, culture, health, infrastructure and services, economy</li> </ul>	<p>Section 3.2 Appendix F</p>
<p><b>3.Potential Impacts and Mitigations</b></p>	<p>Identify where, how, and to what extent the project could interact with the biophysical and human environments.</p>	<p>Description of how the Project will interact with the environment (biophysical and human)</p> <ul style="list-style-type: none"> <li>• Where? How? What impacts?</li> </ul> <p>Description of proposed mitigation</p> <ul style="list-style-type: none"> <li>• Consider mitigation hierarchy</li> </ul>	<p>Section 3.3 Appendix G</p>



<p><b>4. Developer's Assessment Proposal (DAP)</b></p>	<p>Identify which parts of the environment should be the focus of EA and how the developer plans to assess potential impacts.</p>	<p>Proposed valued components for the EA</p> <ul style="list-style-type: none"> <li>• Describe and prioritize which should be included</li> <li>• Why are others not included?</li> </ul> <p>Proposed assessment methods</p> <ul style="list-style-type: none"> <li>• To identify and assess impacts on above valued components</li> </ul> <p>Plain language summary</p>	<p>Section 3.4 Appendix H</p>
<p><b>5. Record of engagement</b></p>	<p>Provide an engagement log and summarize how the results of this engagement were incorporated into the <i>Proposal for Development</i>.</p>	<p>Engagement log</p> <ul style="list-style-type: none"> <li>• Record of engagement to date</li> </ul> <p>Future engagement</p> <ul style="list-style-type: none"> <li>• Describe future engagement plans</li> </ul>	<p>Section 3.5 Appendix F</p>
<p><b>Throughout all five sections of the <i>Proposal for Development</i></b></p>	<p>Describe how working with communities informed the project</p>	<p>How did engagement and collaboration change or help design the project?</p> <p>How was Indigenous Traditional Knowledge included?</p>	



The following appendices support all sections of the *Proposal for Development*:

- Appendix A—Roles and responsibilities for early engagement and collaborative project planning
- Appendix B—Key strategies for collaborative project planning and early engagement
- Appendix C—How following the optional pathway to EA might affect other parts of the EA process
- Appendix D—Structure and format of the *Proposal for Development*
- Appendix J—Other guidelines and resources

The following sections of the Guideline outline the different sections that need to be provided in a *Proposal for Development*. These sections are:

1. Detailed project description
2. Environmental baseline information
3. Description of impacts and mitigations
4. *Developer's Assessment Proposal* and
5. Record of engagement

**For reasons of administrative fairness, Review Board staff will not provide any assistance to developers preparing their *Proposal for Development* beyond what is outlined in this Guideline.**

## 3.1 Detailed project description

**Section 1 of the *Proposal for Development* is a detailed project description.** In this section, developers should give enough information for the Review Board to form a thorough understanding of the proposed development and its associated components. Appendix E provides detailed information about the types of information that may be required. The detailed project description must:

- **begin with a plain language summary** that clearly and concisely summarizes key information about the project. It should be stand-alone as it may be used during scoping, so the public understands the proposed development.
- **include basic information** about the proposed development, activities, developer, purposes, alternatives and more.
- **describe project components** including physical infrastructure (buildings, roads, or tailings storage facilities), activities (transportation and mining), or other things (human resources, power sources etc.) the developer needs to carry out the project.
- **include accompanying figures, maps, and photos** as appropriate.
- **summarize and append supporting documents** including descriptions of conceptual management plans or frameworks and partnership plans in the project description text. Full versions of the documents can be appended, if available.

## 3.2 Environmental baseline information

Section 2 of the *Proposal for Development* is environmental baseline information.

The developer will provide this information in:

- a summary of relevant, currently available baseline information
- a baseline information plan that describes what information still needs to be collected<sup>9</sup>

**Baseline data collection and monitoring is an ongoing process that occurs before, during and after EA. This process supports an ongoing understanding of the environment and is used to verify predictions and adaptively manage project impacts.**

Additional considerations for baseline information

### Developers must describe the baseline for both the biophysical and human environments

The Act requires the Review Board to consider both biophysical and human impacts. This means developers must consider local context and social, cultural, health and economic factors in addition to standard metrics of biophysical environmental baseline conditions. The relative weight and importance of each aspect of the baseline information will vary by project.

See Appendix F—Guidance for environmental baseline data for elements of the biophysical and human environments to consider. See Appendix J for resources to help ensure that information adequately describes the existing environment (for example, identifying critical wildlife habitat or characterizing the range of natural variability for water quality and quantity).

**Developers can and should make best efforts to streamline their baseline data plans. This includes planning different stages of baseline data collection to reflect regulatory process steps and timelines (for example, by doing water sampling at the same time as geotechnical drilling).**

### Projected environmental conditions should consider future climate change scenarios.

Global climate, and that of the Northwest Territories, is changing. Developers should therefore consider projected environmental conditions across all stages of the project. This is important because future activities and operational or closure requirements may occur in climatic, environmental, or social conditions that are different from current ones. Developers should do their best to describe what the local and regional study areas might look like under future climate scenarios. This will help the Review Board understand how the project may affect and be affected by the environment in the future.<sup>10</sup>

Developers should identify how they expect future environmental conditions to differ with and without the project. If possible, developers should also describe historical conditions before any industrial development. These distinctions are particularly important for framing and understanding cumulative effects.

<sup>9</sup>The Review Board understands that not all baseline information needed for an EA, or the life of the project may be available before the start of an EA.

<sup>10</sup>The Board acknowledges that projecting future environmental conditions is difficult and may not be precise. This is true for all predictions, including predictions of project-related effects. Developers should apply their best efforts, identify sources of climate projections, and include a range of best case and worst-case scenarios, describing the uncertainties associated with each impact prediction. Guidance on projected future conditions can be found by contacting GNWT Environment and Climate Change and Environment and Climate Change Canada.

## 3.3 Description of impacts and mitigations

Section 3 of the *Proposal for Development* is a preliminary description of the most likely or important **potential impacts of the project and proposed mitigations**. Developers should identify:

- where, how and to what extent the project will interact with the human and biophysical environments;
- how effects from the proposed development might interact with past, present or reasonably foreseeable future developments (cumulative effects); and
- how they propose to mitigate project specific and cumulative effects.

Appendix G—Guidance for identifying potential impacts and mitigation contains more information about describing potential impacts and mitigations including:

- what information developers should provide, to the best of their ability and based on project stage and available information, about impacts, interactions, and proposed mitigation.
- providing examples of how to identify and characterize potential impacts of the project on the biophysical and human environments, and proposed mitigation.

## 3.4 Developer's Assessment Proposal

Section 4 of the *Proposal for Development* is a *Developer's Assessment Proposal (DAP)* that:

- describes and prioritizes the **valued components** the developer proposes to carry forward in the EA
- outlines **proposed assessment methods** to identify and assess potential impacts on those valued components and
- includes a plain language summary.

Appendix H provides detailed information on what types of information should be considered in a DAP.



## 3.5 Engagement activities related to the proposed development

Section 5 of the *Proposal for Development* is a description of engagement activities.<sup>11</sup> Developers must provide:

- **engagement records** that describe how, when, and with whom developers have engaged (See Appendix I) and
- their **plans for future engagement** activities (See Appendix B).

In this section, developers should summarize how and to what extent feedback from potentially affected communities has been considered and documented in the different sections of the *Proposal for Development* including:

- project design and description
- environmental baseline conditions
- potential impacts and mitigations and
- preferred assessment methods.

The Review Board recognizes that early engagement and collaborative project planning may increase pressure on under-resourced Indigenous Governments and Organizations before an EA begins, and at a time when participant funding may not be available. This is an on-going challenge that needs to be addressed by all parties in the resource co-management system. This Guideline offers suggestions about best practices for early engagement and collaborative project planning but recognizes that actual best practices will vary between groups (See Appendix B). The Review Board will continue to run EA processes that offer a variety of engagement and participation opportunities to support involvement of all groups.

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<sup>11</sup>Proposed developments that proceed through EA onto the regulatory phase must satisfy Land and Water Board and Indigenous Government requirements for engagement.

## 4. CONCLUSION

The Review Board will consider any and all information provided in a *Proposal for Development* when making its determination about whether to order an EA using its discretionary authority under subsection 126(3) of the Act.

The Review Board will update this Guideline in response to:

- changes to the law or regulations that affect EIA in the Mackenzie Valley
- changes to operational processes for EIA in the Mackenzie Valley
- lessons learned from the application of the Guideline
- emerging practices in project planning and development, and impact assessment methods.

# APPENDIX A – ROLES AND RESPONSIBILITIES IN EARLY ENGAGEMENT AND COLLABORATIVE PROJECT PLANNING

This Appendix lists the roles and responsibilities of key players in early engagement and collaborative project planning for major projects. Developers should begin engaging with local communities, Indigenous Governments and Organizations and First Nations before applying for project authorizations or referral to EA. Engagement continues throughout the EA, and if the project is approved, over the entire life of the project.

Early engagement helps build relationships which may allow developers to move towards a collaborative approach to project planning. Early engagement and collaborative project planning by the developer can occur with:

- potentially affected groups including Indigenous Governments and Organizations, communities, and members of the public and
- organizations that play an active role in regulating projects, including the co-management boards, the Tłı̄cho Government, Indigenous land managers, regulators, and federal or territorial government departments.

## Role of the Developer

All regulatory (land use permits, water licences, and other authorizations) and environmental impact assessment proceedings require developers to demonstrate what engagement efforts they have made, and how they have responded to what they heard. This includes demonstrating that they have:

- identified and engaged with all relevant groups;<sup>12</sup>
- used engagement methods appropriate for the group they are engaging with;
- provided sufficient details related to the project proposal in an accessible format; and,
- allowed enough time for groups to fully consider the information and engage with the developer.

The MVLWB's Engagement and Consultation Policy and Guidelines provide information to developers about how and when to engage in Land and Water Board proceedings. Both documents are available online at [www.mvlwb.com](http://www.mvlwb.com).

<sup>12</sup>Prior to and during engagement, developers should consider the best ways to identify potentially affected parties and engage different sub-groups such as women, youth, and Elders to understand their perspectives.

## Role of Indigenous Governments or Organizations

Early engagement and collaborative project planning works best when Indigenous Governments or Organizations are involved from the beginning. In all cases, Indigenous Governments and Organizations determine for themselves the ways in which and the degree to which they will participate in early engagement and collaborative project planning activities with developers. However, Indigenous Governments or Organizations can help in early engagement and planning processes by:

- identifying engagement protocols
- helping developers understand the general and specific baseline requirements that will likely be required for the EA
- providing existing baseline monitoring data or participate in the collection of baseline monitoring data
- facilitating aspects of the collection and incorporation of Indigenous Knowledge aspects of
- reviewing and provide comments and recommendations on draft materials
- helping to identify community concerns, interests and values that should be considered in all project, mitigation and monitoring design
- identifying the potential for the project to impact on the exercise of Aboriginal or Treaty rights and any mitigations to avoid or minimize these impacts

The Review Board recognizes the additional burdens that early engagement and collaborative project planning may place on Indigenous Governments or Organizations and communities. The onus is on developers to support Indigenous Governments and Organizations to participate meaningfully in early engagement activities.



## Role of Federal and Territorial Government departments and Regulators<sup>13</sup>

Governments and regulators can help developers understand what future regulatory processes will be required after the EA and what information may be needed during the EA.<sup>14</sup> This includes:

- identifying groups, communities and Indigenous governments might be affected by the proposed development,
- providing information about things like land tenure, socio-economic agreements, and impact benefit agreements,
- understanding the general and specific baseline information territorial or federal government departments and regulators will likely need for, and after, the EA and
- identifying specific guidance that is applicable to the project and available through relevant authorities (see also Appendix J).

While it is up to the developer to initiate and conduct early engagement, regulators, the Tłıchǫ Government, the Canadian Northern Economic Development Agency's Northern Projects Management Office, Crown-Indigenous Relations and Northern Affairs Canada, Client Service and Community Relations at the Government of the Northwest Territory's department of Industry, Tourism and Investment, and other co-management boards in the Mackenzie Valley can help support early engagement. These organizations can help developers identify which territorial or federal department, Indigenous Government or Organization, or boards would be particularly useful to contact.<sup>15</sup> Many of these groups would participate in a Resource Development Advisory Group if the developer proceeds with that option.

## Role of the Review Board

The Review Board and staff do not give direction or advice to developers in early engagement or collaborative project planning activities. However, Review Board staff may play a limited role and can:

- participate in Resource Development Advisory Group processes,
- provide clarity on the process and information outlined in this Guideline, and
- direct developers to other Review Board guidelines and recent environmental assessments of similar projects through the public registry.

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<sup>13</sup>Governments include the federal and territorial governments as well as Indigenous Governments or Organizations. Regulators include land and water boards of the Mackenzie Valley.

<sup>14</sup>The Review Board's guidance document on Decision makers in the Process identifies the various organizations and boards involved in the EIA process and is available [here](#)

# APPENDIX B – KEY STRATEGIES FOR COLLABORATIVE PROJECT PLANNING AND EARLY ENGAGEMENT

This Appendix lists key strategies and the benefits of collaborative project planning and early engagement.

## KEY STRATEGIES FOR EFFECTIVE EARLY ENGAGEMENT AND COLLABORATIVE PROJECT PLANNING

Early engagement and collaborative project planning benefits all parties involved in the development and review of a proposed development (See Table 2). During early engagement, developers should discuss their intentions to develop a project, sharing the basic idea of the project and setting.

*Table 2: Potential Benefits of early engagement and collaborative project planning.*

Potential benefits of early engagement and collaborative project planning			
Developer	Indigenous Governments or Organizations	Territorial and Federal Governments	Review Board
<ul style="list-style-type: none"> <li>• Better relationships with those who be affected by the project</li> <li>• More opportunities to avoid adverse impacts</li> <li>• Lower costs of project changes</li> </ul>	<ul style="list-style-type: none"> <li>• Involvement during project design</li> <li>• Concerns voiced earlier in process</li> <li>• Better understanding of the project</li> </ul>	<ul style="list-style-type: none"> <li>• Better understanding of the project</li> <li>• Prioritize EA vs regulatory issues</li> <li>• Earlier input into assessment methods</li> </ul>	<ul style="list-style-type: none"> <li>• Some issues resolved before EA</li> <li>• Better information coming into EA</li> </ul>

Early on, developers should work collaboratively with communities to develop an engagement plan. This plan should facilitate the collaborative refinement and improvement of project design and should help to identify and resolve issues (See Appendix I—Keeping records of engagement). If possible, the plan should facilitate current engagement strategies while allowing for flexibility to shift approaches or methods as the project evolves. Engagement plans should also be consistent with the Mackenzie Valley Land and Water Board’s Consultation and Engagement Guidelines and Policy where applicable.



There is no single, best way to proceed with engagement. Developers should work to support the meaningful participation of potentially affected groups in engagement and collaborative project planning activities through:



Figure 5: Flow of collaborative project planning and early engagement.

Engagement activities should increase as more information about the project becomes available. Developers may consider employing the following strategies for planning, engaging and following up on engagement activities.

## 1. PLANNING

**Preparing to engage** - The context in every community (including governance and Indigenous laws, current events and priorities, capacity, and experience with and/or readiness for resource development) can vary greatly. It is important for developers to do their “homework” and develop an understanding of the community and its context as part of its engagement planning efforts. Developers should consider the costs of engagement and the time and resources required to appropriately engage with communities when budgeting for the project.

**Co-developing the engagement approach** - Developers should co-develop engagement activities and methods rooted in respect with each group being engaged. This will help developers determine the right people and groups or sub-groups to engage, the timing of that engagement, suitable engagement mechanisms and what information is needed for the group to be fully engaged. This will also help the developer use appropriate strategies to foster meaningful participation. The developer should use this information to develop community-specific engagement plans.

**Collaborating with local partners** - Developers should collaborate with local partners in potentially affected communities who can help to advise on engagement approaches and may be well positioned to assist with community engagement activities, including reaching specific segments of the community. Developers should prioritize hiring locally to support their team.

## 2. ENGAGING

**Creating safe and culturally appropriate engagement opportunities** - Good engagement needs to start with a process that works for the people being engaged. Developers are often engaging with people in their home communities about projects that are in their “backyard,” in traditional areas they have used for generations. Good engagement needs to be respectful of peoples’ culture and connection to the land.

Good engagement should also be done in such a way that allows for the expression and integration of multiple viewpoints. This includes offering tailored engagement opportunities for youth, elders, women, and other subgroups within a community.<sup>16</sup> It also involves thinking proactively about creating accessible meeting spaces, times, and methods so that people from all parts of a community feel safe and welcome in the engagement process.

**Creating space to influence project design and planning** - Developers should provide enough details to help groups envision the project, its potential impacts, and what the land might look like after the project is done. Developers should be clear about what is needed to proceed with a viable project, while outlining options or components where community input would assist in informing the project design and appropriate mitigation.

**Understanding values, interests, and needs** - To fully understand community concerns about a project, developers need to understand the community's customs and protocols, norms and values, vision and aspirations, interests and needs as they relate to major projects. This information allows developers to proceed in a way that respects and upholds these laws, norms, and values, while seeking to meet multiple objectives in planning the project.

**Engaging on the full project life cycle and identifying opportunities to participate in the project** - Developers should be prepared to discuss the full life cycle of the proposed project and the potential for impacts and opportunities at each stage. Developers should be prepared to discuss and answer questions about employment and training, revenue sharing, and procurement opportunities.

**Providing adequate and accessible resources and information** - Developers should use different types of media to present project information, such as video, 3D imaging, drone footage, written materials in relevant languages, interactive presentations, models, and mapping. Using a range of materials will help a wider audience understand the proposed development, its potential impacts and what mitigation might be required.

### 3. FOLLOW-UP

**Reporting back to the community** - Developers should follow up with communities to describe whether and how their input will be used to influence project design and planning. Sharing this information with the community shows them that they've been heard and provides an opportunity for them to validate how the developer plans to respond to feedback – an important component of acquiring and interpreting community input. Ideally, Indigenous Governments or Organizations will be given an opportunity to provide feedback on how their input has been incorporated as well.

## KEY RESOURCES FOR EARLY ENGAGEMENT AND COLLABORATIVE PROJECT PLANNING

Table 3 highlights some of the many resources available to developers that provide practical guidance, strategies, and tools for effective early engagement and collaborative project planning in the Mackenzie Valley and across Canada. Developers are encouraged to check the Review Board's website for new and updated materials as they become available.

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<sup>16</sup>This aligns with the principles of Gender-based Analysis+ (GBA+). More information about the Government of Canada's approach to implementing GBA+ can be found [here](#).



Table 3: Resources for effective early engagement and collaborative project planning.

Resource	What it covers and how it will help with early engagement and collaborative project planning
<b>Mackenzie Valley Environmental Impact Review Board<sup>17</sup></b>	
<p><b>Socio-Economic Impact Assessment Guidelines</b></p>	<p>This provides guidance on activities that should be undertaken prior to starting early community engagement, how to prepare for early community engagement, how to identify potentially affected communities and groups, considerations for conducting engagement and what should be captured in the developers' record of engagement. While the guideline is focused on socio-economic impacts, much of the guidance is applicable to broader approaches to early engagement on the proposed development as whole.</p>
<p><b>Guidelines for Incorporating Traditional Knowledge in EIA</b></p>	<p>This provides guidance for developers to work collaboratively and respectfully with communities to contribute to a fair and balanced EIA process, understanding and respecting the benefits of Indigenous Traditional Knowledge in environmental decision making. Incorporation of Indigenous Traditional Knowledge is a requirement set by land claims in the Mackenzie Valley and the Act. Including Indigenous Traditional Knowledge in the EIA process adds a holistic perspective and understanding of the variability and extent of biophysical, social and cultural trends. This can help establish baseline conditions, predict possible impacts, and determine mitigation and monitoring methods. Indigenous Traditional Knowledge holders can also identify links between components of the environment that Western science may otherwise overlook. This can provide value to a developer's project planning, focus the scope of the EIA, and assist in establishing stronger relationships with potentially affected parties.</p>
<b>Land and Water Boards of the Mackenzie Valley<sup>18</sup></b>	
<p><b>LWB Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits</b></p>	<p>This supports developers in their engagement efforts with affected parties while outlining what developers must do to meet the Land and Water Boards' requirements for engagement. The guideline includes a step-by- step process and supporting templates to meet the MVLWB's engagement requirements, including how to identify affected parties, initiate, plan, and record dialogues with communities. Engagement best practices and approaches are also included to support meaningful and effective engagement to assist in reaching positive outcomes for all parties involved.</p>

<sup>17</sup>Available at: [https://reviewboard.ca/process\\_information/guidance\\_documentation/guidelines](https://reviewboard.ca/process_information/guidance_documentation/guidelines)

<sup>18</sup>Available online at: <https://wlwb.ca/resources/lwb-policies-and-guidelines>



Broader guidance, including industry best practices	
<p><b>Mining Association of Canada's Towards Sustainable Mining Indigenous and Community Relationships Protocol<sup>19</sup></b></p>	<p>This assessment protocol sets out the general expectations for Indigenous and community relationships as part of the Toward Sustainable Mining initiative and supports implementation of initiative's Mining and Indigenous Peoples Framework. Two of the five indicators in the protocol (indicators #2 and #3) outline expectations for effective community of interest and Indigenous engagement and dialogue. Expectations outlined in Level A represent good practice (and the minimum desired level the industry aims to have all members achieve). Expectations in Level AA and AAA represent strengthened business integration and excellence and leadership (respectively). Combined, expectations in Level A, AA and AAA provide guidance for practices that support meaningful ongoing engagement.</p>
<p><b>Prospectors and Developers Association of Canada's Community Engagement Guide<sup>20</sup></b></p>	<p>This framework provides practical advice for developers on engaging with potentially affected communities, including strategies for properly preparing for engagement, implementing engagement strategies, and how, when and what to disclose about the proposed development. These best practices can assist developers in building relationships through understanding the context of the communities with which they are engaging, leading to inclusive and meaningful participation of community members.</p>
<p><b>First Nations Major Project Coalition Major Projects Assessment Standard<sup>21</sup></b></p>	<p>This Standard describes expectations of First Nations for developers in environmental assessments, particularly those that are First Nation-led. The document outlines nine guiding principles that provide suggestions for developer engagement with communities that fosters the meaningful inclusion of Indigenous communities in the environmental assessment of major projects. Each principle outlines detailed criteria that facilitate integration of First Nation perspectives and respect for Indigenous governance and decision-making, through joint development and conduct of activities in the assessment process and a central role for Indigenous people in the mitigation and monitoring through the full extent of the project lifecycle. Emphasis should be placed on engagement in the identification and assessment of ecological effects of the project and include western science and Indigenous Traditional Knowledge, placing importance on the harvesting and cultural rights practices of the affected community. Developers are encouraged to provide information to communities in a timely and meaningful manner in a way that is accessible to all participants so that communities can make informed decisions.</p>

<sup>19</sup>Available online at: <https://mining.ca/resources/guides-manuals/tsm-indigenous-and-community-relationships-protocol/>

<sup>20</sup>Available online at: <https://www.pdac.ca/programs-and-advocacy/responsible-exploration/e3-plus/community-engagement-guide/introduction>

<sup>21</sup>Available online at: <https://fnmpc.ca/wp-content/uploads/2021/04/FNMPCMPASFINAL.pdf>



# APPENDIX C – HOW THE OPTIONAL PATHWAY AFFECTS OTHER PARTS OF THE EA PROCESS

This Appendix explains how following the optional pathway to EA outlined in this Guideline might affect the different phases of environmental assessment in the Mackenzie Valley.

## EA Start up Phase

Regardless of how a proposed development comes to EA, the EA start-up phase is the same. It requires:

- Notifying the developer, potentially affected groups, the federal and territorial governments and Indigenous Governments about the start of an assessment by releasing a *Reasons for Decision and Notice of Environmental Assessment*.
- Creating and adding all relevant documents listed in Chapter 3, materials from preliminary screening (if available) as well as the *Notice of Environmental Assessment* to a public register for the EA.

## EA Scoping Phase

The first step in the EA process is scoping where the Review Board determines the scope for the EA. This includes both the scope of development and scope of assessment:

- The scope of development describes what the developer proposes to do.
- The scope of assessment identifies and prioritizes the issues that will be investigated in depth during the EA.

The Review Board determines the both the scope of development and scope of assessment for an EA based on information from the developer about its project, combined with input from parties<sup>22</sup> (such as Indigenous Governments or Organizations, communities, the public, territorial or federal government departments, NGOs) about:

- **What** is being proposed (the project details, see section 3.1 Detailed project description)
- Which **parts of the environment** are likely to be affected (Section 3.2 Environmental baseline information)
- What **issues or concerns** are most important (the potential impacts and valued components, see section 3.3 Description of impacts and mitigations) and
- **How** to investigate and assess potential impacts on the valued components (the assessment methods, see section 3.4 *Developer's Assessment Proposal*)

The information a developer provides in their *Proposal for Development* is a starting point to answer the questions above. The Review Board will then issue the final scope of development and assessment — the scope of EA in a *Terms of Reference*.

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<sup>22</sup>Section 24.1 of the Act requires that the Review Board coordinate with other boards, government departments, and other organizations in the interest of efficient and coordinated processes.

## Terms of Reference

The *Terms of Reference* describes:

- the scope of the EA
- the minimum information that a developer must provide in its *Developer's Assessment Report* (DAR) and in some cases,
- preferred or optional assessment methods.

If a developer submits a complete and comprehensive *Proposal for Development*, the Review Board can conduct more efficient and effective scoping, resulting in a *Terms of Reference* that identifies fewer outstanding issues requiring detailed assessment in the rest of the EA.

In some instances, the Review Board has asked developers to provide a *Developer's Proposed Terms of Reference* which describes a developer's proposed initial assessment framework, key areas for investigation and assessment methods. The *Developer's Assessment Proposal* described in this Guideline is intended to replace the *Developer's Proposed Terms of Reference* used in past EAs. The Review Board will still issue the *Terms of Reference* following EA scoping activities.

## EA Analysis Phase

The EA analysis phase is not expected to substantially change as a result of following this guideline. Developers will normally still submit a DAR followed by information requests and technical and/or community sessions. See the Review Board's *Environmental Impact Assessment Guidelines* for more detail.

## EA Hearing Phase

The EA hearing phase is not expected to substantially change as a result of following this Guideline. The Review Board will still hold public hearings and receive interventions and closing arguments from intervenors.

## EA Decision Phase

The EA decision phase will not change if developers choose to follow this Guideline and enter EA via direct referral. The Review Board will still deliberate and produce and distribute a *Report of Environmental Assessment and Reasons for Decision* as required by sections 128(2) and (3) of the Act.

## Minister's Decision Phase

The Minister's Decision Phase will not change if developers choose to follow this Guideline, other than that responsible ministers may have better and more relevant information to inform their decision making.

## Regulatory process following an EA

If so approved by the responsible ministers, the project will go to the regulatory process for any applicable water licences, land use permits, or other authorizations required for the project. Following the optional pathway to EA does not change this process or reduce any of the associated information requirements. It also does not infringe on the authorities of another board, department, or agency. Developers should contact land and water board and government department staff to discuss information requirements for their post-EA authorization application packages<sup>23</sup>

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<sup>23</sup>Note that changes to a project after an EA is completed may need a preliminary screening.

# APPENDIX D – STRUCTURE AND FORMAT FOR PROPOSALS FOR DEVELOPMENT

This Appendix includes guidance for developers to organize and present the information in the *Proposal for Development* clearly and thoroughly.

## STRUCTURE

Developers should include the following items to help the Review Board review materials in the *Proposal for Development*:

- a table of contents referencing all relevant headings, subheadings, and appended materials
- a comprehensive table of definitions and abbreviations
- maps and geospatial data that follow the requirements of the Mackenzie Valley Land and Water Boards' Standards for Geographic Information Systems (GIS) Submissions.<sup>24</sup>
- a concordance table showing where information has been provided.
- plain language summaries of key monitoring or management plans (such as Aquatic Effects Monitoring Plans, Wildlife Monitoring and Management Plans or Closure and Reclamation Plans)

## FORMAT

- Developers should ensure that their *Proposal for Development* meets the requirements of the Review Board's Document Submission Standards.<sup>25</sup>
- The Review Board may request additional hard copies and other translated information in addition to the required plain language summaries.
- The Review Board does not accept references to external electronic sources such as online databases or websites as a submission.

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<sup>24</sup>Available online [here](#).

<sup>25</sup>Available online [here](#).

# APPENDIX E – GUIDANCE FOR PROVIDING A DETAILED PROJECT DESCRIPTION

This Appendix provides information about what developers should include in Section 1 (Detailed Project Description) of their *Proposal for Development*. Specific information requirements for individual Proposals for Development will depend on the unique characteristics of that project, however all detailed:

- basic project information
- general project components
- maps, figures, and photos
- a plain language summary

## 1. GUIDANCE FOR BASIC PROJECT INFORMATION

Table 4 provides examples of the types of information and level of detail that may be appropriate in the basic project information section of the *Proposal for Development*.

In general, more relevant information provided by a developer will:

- help facilitate the Review Board's decision about whether or not to order an EA using its s.126(3) authority and
- lead to more efficient and focused EAs.

Table 4: Examples of basic project information that should be included in a Proposal for Development

INFORMATION REQUIREMENT	TYPICAL INFORMATION TO PROVIDE OR QUESTIONS TO ANSWER
I. PROJECT TITLE	<ul style="list-style-type: none"> <li>• Provide the title of the project, as used by the developer.</li> </ul>
II. PROJECT TYPE	<ul style="list-style-type: none"> <li>• Identify the primary project type (such as a gold mine, hydro project or public infrastructure) and any major accessory components (such as all-weather road development, utilities, and truck and aircraft transportation that the primary project requires).</li> </ul>
III. PROJECT LOCATION	<ul style="list-style-type: none"> <li>• Describe the project location both locally and regionally, using maps as described in Section 3.1</li> <li>• Show the location relative to communities and major landmarks.</li> <li>• Describe land ownership where the project is located.</li> </ul>



## INFORMATION REQUIREMENT

## TYPICAL INFORMATION TO PROVIDE OR QUESTIONS TO ANSWER

### IV. PROJECT TIMELINE

- Identify the project phases, the timing for each phase, and timing of any components within each phase. Process maps and tables should be used to clearly show the sequencing and timing over the lifecycle of the project. The phases normally include:
  - o mobilization
  - o construction
  - o operations
  - o closure
  - o post-closure and reclamation
- If applicable, the developer should include any potential future developments associated with the project, such as possible expansions and induced developments or activities.
- Exception: For developments with indeterminate timelines (such as public all-season roads), developers should identify the phases where applicable, as well as the management responsibilities that would apply to each phase and how the development will transition into existing long-term management programs.

### V. ABOUT THE DEVELOPER

- Provide a description of the developer, including any subsidiary companies, related corporations, and/or joint venture partners.
- Provide contact information for the company, including names and contact information for key employees responsible for the project.
- Provide a summary of the developer's corporate history and operational experience in Canada and the Northwest Territories.
- Provide details on how the developer would ensure that its contractors and subcontractors honour any commitments made by the developer throughout the EA process.
- Provide a description of the developer's environmental performance and regulatory compliance records and its partners associated with prior work related to the project or any other projects in the Northwest Territories and Canada (relevant documents can be included as appendices).
- Provide a description of any corporate principles, policies, codes of practice, programs or plans related to the project, such as environmental, sustainable development or community engagement policies (copies can be provided as appendices).

## INFORMATION REQUIREMENT

## TYPICAL INFORMATION TO PROVIDE OR QUESTIONS TO ANSWER

### VI. PURPOSE OF THE PROJECT

- Discuss the objective of the project (such as diamond mining or hydro electricity production) and the likely end use of any products (e.g., sale as a raw material, finished material, intermediate product or local use).
- Discuss the need for the project (including, if applicable, benefits to local communities, the Northwest Territories and Canada).

### VII. DESCRIPTION OF THE RESOURCE (IF APPLICABLE)

- Provide a detailed description of the resource (e.g., oil and gas, minerals, metals), and the surrounding geology or physical nature of the resource (such as characteristics of the ore body or host rock).
- Describe any inferred and measured resources and the production capacity

### VIII. ECONOMIC PROJECTIONS

- Discuss the economic considerations for the project, including estimates for:
  - o capital and operating costs (by project phase, including temporary closure scenarios);
  - o procurement strategies (including procurement priorities and sectoral breakdowns);
  - o taxation and royalty revenues;
  - o contributions to gross domestic product; and
  - o economic vulnerabilities (including forecasts of commodity prices where applicable).
- Identify likely benefit agreements and provide non-confidential details related to their status, subjects covered and progress.

### IX. PROJECT AUTHORIZATIONS AND AGREEMENTS

- Provide a list of all permits, licences and authorizations required to carry out the development and the status of those authorizations and agreements (and details of content if relevant), including:
  - o water licences and land use permits;
  - o surface and subsurface leases and land tenure;
  - o authorizations or permits from federal, territorial, or Indigenous governments (for example: Natural Resources Canada, Fisheries and Oceans Canada, Environment and Climate Change Canada, Transport Canada, Government of the Northwest Territories, the Tłıchǫ Government, and the Délı̨nę Gó'ı̨ne Government); and
  - o any impact and benefits agreements that may be required.

## INFORMATION REQUIREMENT

## TYPICAL INFORMATION TO PROVIDE OR QUESTIONS TO ANSWER

### X. CONFORMITY WITH EXISTING REGIONAL PLANS AND INITIATIVES

- If the proposed development occurs in an area with an approved land use plan, the developer should demonstrate how the proposed development complies with the land use plan. Draft land use plans can also apply depending on relevance and stage of completion.
- Discuss the implications of any current or prospective habitat management plans, recovery strategies, or protected areas near the project (such as the Bathurst Caribou Management Plan or the Boreal Caribou Recovery Strategy).
- Describe the extent to which the effect(s) of the project might hinder or contribute to the federal, territorial, or Indigenous Governments' abilities to meet their environmental obligations and climate change commitments.

### XI. PROJECT HISTORY

- Provide regulatory history details related to previous and/or related projects (such as exploration programs) including associated permits or licences, mineral claims, leases, and any additional information relevant to project history.

### XII. PROJECT ALTERNATIVES

- Describe alternatives to the project to meet the same need (see VI above).
- Describe all technically and economically feasible alternatives within the project that were considered during project design.
  - This may include alternative technologies, designs, management plans, timing, location, methods and more.
- Describe the preferred option and why it was selected.

## INFORMATION REQUIREMENT

## TYPICAL INFORMATION TO PROVIDE OR QUESTIONS TO ANSWER

### XIII. MONITORING AND MANAGEMENT PLANS

- Provide a list of all management and monitoring plans (including those in draft or conceptual form) that will be required for the project and a proposed schedule for drafting conceptual and full plans.<sup>26</sup>
- For plans related to specific components of the project, developers should describe how the plan relates to that component (for example during project operation, management, monitoring), and answer the following questions:
  - o How were these plans developed?
  - o How do the plans ensure operational needs are met, environmental considerations are addressed, and legislative requirements are met?
  - o How do the plans follow or improve on standard best practices in the Canadian North?
- Describe how cross-cutting monitoring or management plans (like Wildlife Monitoring and Management Plans) apply to and mitigate project effects on multiple project or valued components.

### XIV. PROJECT EVOLUTION IN RESPONSE TO CONCERNS RAISED DURING ENGAGEMENT

- How did early engagement inform project design?
- Did engagement change any of the components of the project?
- Describe any project alternatives identified through early engagement activities.
- How did engagement help inform the development of monitoring and management plans?

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<sup>26</sup>When developing monitoring and management plans, developers should follow best practices and refer to relevant external guidance from regulators and administrative bodies (see Appendix J).

## 2. GUIDANCE FOR PROJECT COMPONENT INFORMATION

This section, and Table 5 below, identifies project components that developers should describe as part of their Detailed Project Description, if applicable (see section 3.1 Detailed project description). Project components will vary by project. To determine what type of information should be provided in this section, developers should ask:

- What physical components and activities are part of the project?
- How do the components relate to one another? What and how are components dependent on one another?
- Where will each component be required and during which project phase?
- How were the components designed or chosen? Are there alternatives to the components?
- How were the results of community engagement and collaborative project planning incorporated into the selection and design of project components?
- How will the components be monitored and managed?



Table 5 Information guidelines for project components

**PROJECT COMPONENT**

**INFORMATION GUIDELINES**

**I. INFRASTRUCTURE  
(INCLUDING BUILDINGS,  
ROADS, ETC.)**

- What buildings and infrastructure are required and how will they be used?  
Describe:
  - o timing and project phase (such as seasonal, life of the project, or permanent);
  - o traffic volumes and/or operational capacity; and,
  - o occupancy and use of buildings and accommodations (such as camp size).
- If relevant, identify existing onsite infrastructure and equipment that would be used as part of the development (such as adits, drill holes, buildings, roads).
- If relevant, identify any existing liabilities on site, such as contamination or old structures.
- Would any quarries be required to develop project infrastructure?
  - o If so, how much, and what types of material would be required?
  - o How would they be operated and managed throughout the life of the project?
- What kind of storage would be required on site (such as for ore, waste rock, materials)?
- Describe how infrastructure and accessory component sites (such as quarry sites) were selected and what considerations were included in decision-making. These considerations may include Indigenous Traditional Knowledge, environmental components and related potential impacts (such as, wildlife, waterbodies, ground stability, acid rock drainage, permafrost), or operational considerations.
- Describe the site, building and infrastructure design plans.
  - o How were they developed?
  - o How have identified potential impacts and proposed mitigations been incorporated?
  - o Are they appropriate for northern environments like the project area?
  - o How have the designs been optimized for the proposed closure and reclamation method(s) for this component?
  - o How do they account for climate change related effects on the project?
  - o How do the designs account for cumulative effects?
- What monitoring and management plans apply to project infrastructure for all phases of the project, and what impacts will they mitigate or manage (for example, wildlife and wildlife habitat management and monitoring plans)?



## PROJECT COMPONENT

## INFORMATION GUIDELINES

### II. EQUIPMENT

- What equipment is required and how would it be used (such as type, size, weight, and function)? Include existing onsite infrastructure and equipment that would be used as part of the development, if any.
- What are the monitoring and management plans related to all equipment use, storage, maintenance, and disposal (such as operations and maintenance plan, noise management plan, dust management plan, emissions management plan, energy efficiency plan, waste management plan, spill contingency plan)?

### III. TRANSPORTATION

- How would the site be accessed and resupplied?
- How would personnel be transported on-site and off-site for project activities?
- How would equipment or resources be transported to site?
- How would any product be transported from the project site to future destinations?
- How would transportation vary depending on the project phase as well as seasonally?
- What are the proposed transportation routes, traffic volume, and schedules for all transportation methods (such as ground or air transportation), and how were they developed?
- What are the monitoring and management plans related to project transportation (such as operation and maintenance plan, dust management plan and noise management plan)?

### IV. LABOUR FORCE AND HUMAN RESOURCES

- Discuss the labour requirements, employee programs and policies, and workforce development opportunities for the project. At a minimum, details should include:
  - o opportunities for employment and training;
  - o expected workforce requirements and timelines for employment opportunities;
  - o communities of focus for hiring opportunities and anticipated hiring policies (including hiring programs, details on work and transportation schedules);
  - o employee assistance programs (such as career planning, employee counselling, family support, transition planning); and
  - o workplace policies and programs (such as codes of conduct, workplace safety programs, and cultural training programs).
- What kind of contracting does the developer expect will be needed during each phase of the project?

## PROJECT COMPONENT

### V. WATER AND WATER MANAGEMENT

## INFORMATION GUIDELINES

- Where would water for the project come from (identify all locations, likely and maximum volumes from each potential source)?
  - Is the water source frequented by fish?
- How would water be accessed and transported (such as intakes and transport methods)?
- Would there be changes in water use (frequency and volume) by season?
- How much would be used for different project activities (such as camp operations, mill, winter road development or dust suppression)?
- How and where (onsite or off-site, proximity to water bodies) would it be treated and recycled?
- What considerations were used for selecting the water source (such as ITK, proximity to infrastructure, other water users, water source capacity, impacts to flow or volume)?
- How would seepage, leachate and runoff be managed?
- What infrastructure (such as retention structures, diversions, dams, dikes, and water treatment facilities) and equipment would be required to access and manage all water?
  - How were they designed?
  - What frequency event (such as a 1 in 100-year flood) are they engineered to withstand?
  - How would they be managed?
  - What would the consequences of failure be (such as a worst-case scenario)?
  - Describe potential impacts and mitigation.
  - How have the designs been optimized for the proposed closure and reclamation method(s)?
  - How do the designs account for climate change effects?
  - How do the designs account for cumulative effects?
- How does the water management system design and management consider erosion and sedimentation?
- What are the monitoring and management plans related to all project interactions with water for the life of the project?

## PROJECT COMPONENT

### VI. HAZARDOUS MATERIALS

## INFORMATION GUIDELINES

- What types of hazardous materials (such as diesel, jet fuel, lubricants, drill additives, explosives, or hazardous wastes) would be required or generated as part of the project?
  - o What would they be used for?
  - o How would they be generated and in what quantities?
- How would all hazardous materials be transported to or from site, handled, stored, and disposed of?
- What are the monitoring and management plans for fuel and hazardous materials (including spill contingency and emergency response plan, hazardous waste management plan)?

### VII. POWER

- What is the power source(s) for all components in all phases of the project?
- What equipment and fuel would be required to maintain power generation?
- What are the monitoring and management plans related to power generation facilities and equipment?

## PROJECT COMPONENT

### VIII. WASTE AND WASTE MANAGEMENT

## INFORMATION GUIDELINES

- What types of waste would be produced, how would they be produced and in what quantities? For example:
  - o sewage
  - o grey water
  - o combustible and non-combustible solid waste
  - o hazardous waste
  - o contaminated soils, water, and snow
  - o empty barrels/fuel drums
  - o process water
  - o waste rock
  - o tailings
  - o other (such as, contact water, groundwater seepage)
- How would all waste associated with the project be managed, including collection, transportation, handling, waste reduction, recycling, treatment, and disposal methods?
  - o What are the preferred waste management activities/methods? Why are these preferred?
  - o Are there other options for waste management? Why were these not selected?
- What infrastructure and equipment would be required for waste management?
  - o How were they designed?
  - o How would they be managed?
- What are the predicted contamination levels for project wastes? What are the risks associated with the project wastes (identifying source, receptor, and pathways of contamination)?
- How was the site for waste management infrastructure selected?
- Are seepage and/or run-off likely to contain waste and be considered wastewater? How would this be confirmed?
- What are the monitoring and management plans for all waste?

## PROJECT COMPONENT

## INFORMATION GUIDELINES

### IX. EMISSIONS INCLUDING GREENHOUSE GASES

- By project phase, what are the projected emissions for all project equipment (such as vehicles, generators, and heavy/light equipment)?
- Provide an estimate of greenhouse gas emissions for the life of the project (For example, following the Prospectors and Developers Association of Canada's methods)<sup>27</sup>
- What are the monitoring and management plans that apply to emissions (such as emissions management plans, energy efficiency plans)?

### X. CONSTRUCTION AND OPERATION ACTIVITIES

- Describe all methods for construction and operation of the project and ancillary infrastructure. Provide references to best practices or industry standards where appropriate. If the project is planned to operate in perpetuity, describe methods associated with maintenance of the project.
- Describe extraction and milling methods, rates of production, and production capacity (if applicable).
- If processing will happen on site, describe the methods and what is required.
- Describe erosion and sedimentation management during construction and operations.
- Describe any identified potential impacts and proposed mitigations associated with construction and operations that have not been addressed under other components.
- Describe how construction and operation activities have been optimized for closure and reclamation (for example, method selection, project scheduling and sequencing, permafrost protection planning, site layout, etc.)
- Describe any exploration, extraction, and/or processing activities that are not covered in the sections above, including potential impacts, mitigations and relevant monitoring and management plans

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<sup>27</sup>Available online [here](#).

## PROJECT COMPONENT

### XI. CLOSURE AND RECLAMATION

## INFORMATION GUIDELINES

- How and when would the project and project site(s) be closed and reclaimed? The description should include:
  - o preferred and alternative methods and technology
  - o rationale for selected closure methods
  - o management plans
  - o equipment, infrastructure, and personnel requirements
  - o reclamation schedule (including progressive reclamation)
- What are the baseline and background levels of contamination on-site, and expected contamination resulting from the project (such as a sump, tailings disposal facility or lagoon), including:
  - o nature of contamination (such as types, source, composition, and environmental hazards)
  - o wastes (such as types, volumes, and environmental hazards)
  - o locations, extent, and volume/quantity
  - o treatment and management methods
- What are the closure objectives for the proposed project?
  - o How were they developed?
  - o How would progressive and final reclamation objectives and activities be monitored and reported to evaluate short- and long- term effectiveness and success?
- After reclamation, what will be left onsite, and how will it be different from before the development?
- How have climate change and cumulative effects have been considered in closure and reclamation planning?
- What are the monitoring and management plans associated with closure and reclamation activities?

### 3. GUIDANCE FOR MAPS, IMAGES, AND PHOTOS

For both the detailed project description and plain language summary, developers should provide maps showing the project and key landmarks (listed below) at local (1:50,000 or more detailed) and regional scales. These maps should be at appropriate scales to illustrate project and/or topographic features in relation to the project area, clearly showing spatial distance to nearby landmarks. Provide digital maps and shapefiles when possible.

#### *Project information*

Show all physical locations required for the project to proceed, including:

- proposed infrastructure that will be built or used (including temporary, permanent, and existing infrastructure);
- locations for any project activities (including transportation, construction, exploration, surveying and mining, potential water sources); and
- boundaries of any permits and leases applicable to the project (such as land use permits, surface leases, subsurface mineral tenure and right of ways).

#### *Key landmarks and place names*

Show relevant landmarks and place names, including:

- names of large waterbodies and waterways;
- water basins, watersheds, and drainage information;
- names (common or traditional) of places and communities, including in Indigenous languages wherever possible and appropriate;
- local and regional governance boundaries (for example, municipal boundaries, the boundary of a settled land claim area);
- known areas of cultural importance, traditional use, recreational or other public use;
- designated areas such as protected areas, national and territorial parks; and
- locations of other nearby developments.

Wherever possible, the dimensions, footprints and relative locations of infrastructure and activities should be shown on a site map. Translated maps may be useful. In addition, it may be useful to show land ownership.



## 4. GUIDANCE FOR WRITING THE PLAIN LANGUAGE SUMMARY

Developers must provide a clear, concise, and plain language summary of the detailed project description. The summary should be stand-alone and must highlight key information about the proposed project. The Review Board encourages developers to contract plain language professionals.

At a minimum, the plain language summary should describe:

- the physical components and activities of the project
- how the components relate to, or are dependent on, to one another;
- when (project phases) and where each component takes place;
- how the components were designed;
- approaches to monitoring and managing impacts;
- how early engagement and collaboration influenced project design and planning;
- any project alternatives or alternatives to specific project components;
- economic history and/or past performance of company; and
- clear project maps that effectively show all activities and associated components that are part of the project, as well as the local and regional context of the proposed development.

### **Translated versions of the summary may be required.**

Please consult with Indigenous Governments or Organizations and Review Board staff during the development of the summary to confirm which translations may be most useful and appropriate.

# APPENDIX F—GUIDANCE FOR ENVIRONMENTAL BASELINE DATA

This appendix contains guidance for developers to complete Section 2 of the *Proposal for Development*. Developers must provide relevant, currently available baseline data for the project area, as well as the information that needs to be collected during and after the EA in a:

- summary of baseline information and
- baseline information plan.

## *Summary of baseline information*

This should describe the current and predicted future biophysical and human environments, and the data and information that informed the developer's understanding of these conditions.

The summary should include:

- results from all relevant baseline studies or surveys and publicly available data (e.g., government statistics, monitoring programs, scientific and community research programs, data from nearby projects, or reports from previous assessment activities);
- how the results of early engagement and collaborative planning were incorporated in the collection and interpretation of baseline information;
- information submitted for previous regulatory applications (if any);
- a description of how the developer used science-based information and Indigenous Traditional Knowledge together; and
- the nature of the surveys, the expertise of the people conducting the work, and how the results were used to improve project design.

## *A baseline information plan*

The baseline information plan identifies and discusses baseline information gaps, and when and how these gaps should be addressed. It is not a substitute for providing the right baseline information upfront and at each assessment step throughout an EA. The plan should describe:

- what additional information will be collected;
- when it will be collected and by whom;
- why the developer believes the timing is appropriate;
- how the information will be collected (e.g., survey methods, sampling techniques); and
- how engagement and collaborative planning informed the baseline information plan.

## *Consider the relationship between components of the environment*

Although the tables below (see Table 6 and Table 7) break subjects into separate components, developers should carefully consider how each of these parts interrelate. Understanding how the separate parts fit together is critical for understanding how a project could lead to impacts. In addition to providing information on each component, developers should provide baseline information on the environment overall and how the components interrelate.

Developers should describe the biophysical and human environments in the setting where the project will be located (local conditions), as well as areas farther away that the project could affect (regional conditions). This should include information on all parts of the biophysical and human environments relevant to understanding project design and potential impacts including information about wildlife, water, language, traditional land use, soils, vegetation, climate, aquatic species, geology, landscape features and more. When deciding what information to collect, developers should consider what information will be required to support future modeling and monitoring.

Where applicable, developers should describe baseline conditions and trends, as well as future predicted conditions without the project. Table 6 below provides examples of biophysical environmental components that should be considered and described where appropriate.

**The Review Board expects developers to include Indigenous Traditional Knowledge**

With respect to collecting baseline information, Indigenous Traditional Knowledge is particularly important for:

- understanding long-term cycles;
- providing knowledge about the range of normal conditions in the area;
- understanding values associated with and uses of the area; and
- helping focus future work when there is a lot of variability (including long-term variation) in the environment.

Developers should describe how they used results of any project-specific or regional Indigenous Traditional Knowledge studies to understand baseline conditions or to determine what additional information is relevant and necessary to collect.

*Table 6: Components of the biophysical environment*

CATEGORY	ASPECT
TERRAIN AND SOILS	<ul style="list-style-type: none"> <li>• local geology, including geochemistry</li> <li>• characterization of soil composition and soil stability</li> <li>• presence and characterization of permafrost</li> </ul>
ECOSYSTEMS	<ul style="list-style-type: none"> <li>• terrestrial</li> <li>• wetlands</li> <li>• aquatic</li> </ul>

**Developers should use meaningful early engagement to identify baseline data.** The specific environmental baseline information needed varies by the type and scale of the project, the location, existing impacts in the area, and the values of potentially affected people. Developers should engage parties early to discuss what type and how much baseline information is required and whether historical site-specific information meets expectations (such as appropriateness of methods and models, compatibility, relevance, and applicability).



## CATEGORY

## ASPECT

### CLIMATE AND METEOROLOGY

- climate of the project area, including:
  - o historical and predicted extreme events and trends
  - o temperature
  - o precipitation
  - o wind
- climate change trends and predictions (including details of the model)
- history and extent of forest fires in the project area

### AIR QUALITY

- background air quality

### GROUNDWATER

- ground water level and fluctuations
- flow regime, direction, infiltration
- influences of geologic structures
- water chemistry and quality

### SURFACE WATER

- location and type of water bodies (such as rivers, wetlands, lakes)
- description and uses of key water bodies (such as aquatic habitat, drinking water, cultural uses)
- watersheds and water drainage patterns
- surface water balance
- water quality, quantity and rates of flow

### FISH AND AQUATIC LIFE

- species, population, distribution, seasonal variations, movement and migration patterns, habitat, and food web
- endangered, rare, threatened, or other listed species<sup>28</sup>
- culturally important species
- ecosystem characteristics, species interdependence

### VEGETATION

- species, abundance, distribution, plant community richness, diversity and successional stage
- endangered, rare, threatened, or other listed species or assemblages
- culturally important species

<sup>28</sup>Including species listed under the federal Species at Risk Act or identified by the Committee on the Status of Endangered Wildlife in Canada.

## CATEGORY

## ASPECT

### WILDLIFE AND BIRDS

- species, population, distribution, seasonal variations, movement and migration patterns (including wildlife corridors), habitat
- endangered, rare, threatened, or other listed species
- culturally important species
- traditionally and non-traditionally harvested species
- ecosystem characteristics, species interdependence
- existing levels of noise and light disturbance
- relevant management plans and buffer zones

### LAND USE PLANNING

- regional land use plans
- federal, territorial, and other protected areas

Developers should describe the human environment in the area where the project is located (local scales), as well as in other areas where project-related effects could occur (regional scales) such as communities along transportation routes, where hiring would occur, or that use the project area for cultural or other uses.

Developers should seek this information from both government census and other data sources as well as community-driven sources like community wellness plans, engagement sessions, and local economic or social development plans. Understanding these perspectives is important for understanding how people might experience impacts from a project. Wherever possible, this contextual information should include information that can be used to understand how different vulnerable subgroups within a community may experience impacts and/or access benefits from the proposed development.<sup>29</sup>

Table 7 is adapted from the Review Board's *Socio-Economic Impact Assessment Guidelines* and illustrates information that is typically required for descriptions of the human environment baseline conditions. These information requirements include social and economic conditions, historical and current land use, cultural and heritage resources, and health and well-being.

## CATEGORY

## ASPECT

### LOCAL, REGIONAL AND COMMUNITY PLANS

- community and regional land use plans
- economic or social development plans

### COMMUNITY PRIORITIES AND WELL-BEING

- general community wellness
- community priorities and concerns
- community strengths and vulnerabilities
- community networks and governance
- information about community values, aspirations, fears, expectations, anxieties, cohesion
- community well-being indicators, if available

<sup>29</sup>This information may be useful for future Gender-Based Analysis Plus or Vulnerability Analysis.

## CATEGORY

## ASPECT

### POPULATION AND COMMUNITY

- population demographics (including in- and out-migration)
- cost of living and income levels
- housing statistics
- family structure
- household strengths and vulnerabilities
- gender divisions
- psychosocial environment<sup>30</sup>
- existing levels and sources of noise, dust, vibration, light, and traffic
- vulnerable groups
- crime rates

### HUMAN HEALTH

- health statistics and rates
- addiction rates
- community health concerns and challenges
- availability of and access to health services
- food security and food sovereignty
- use of traditional medicines and foods
- physical, mental, and social indicators of health, if available
- health and safety of nearby residents, land users, and vulnerable populations

### CULTURE, WAY OF LIFE AND TRADITIONAL LAND USE

- places of cultural and spiritual importance
- bonds to places (that is, sense of belonging, place attachment)
- cultural landscapes
- local languages
- local customs and beliefs
- Indigenous worldviews and ways of knowing
- traditionally harvested species
- traditional harvesting activities and their importance to the community
- traditional land or water use (including past, present, and intended future uses)
- heritage resources and sites (such as archaeological, historical, or burial sites, spiritual places, trails, special landscape features) described in an archaeological assessment report<sup>31</sup> or traditional land use studies
- travel routes and navigable waters (including safety, past and current use)

<sup>30</sup>Such as people's ability to cope, levels of stress and anxiety, or feelings of safety of their environment.

<sup>31</sup>Developers are encouraged to contact the Prince of Wales Northern Heritage Centre to obtain archaeological site data prior to completing these information requirements. Please refer to their Guidelines for Developers for the Protection of Archaeological Sites in the Northwest Territories available [here](#).

## CATEGORY

## ASPECT

### OTHER LAND USE

- recreational land or water uses (including user groups, seasonality, and types of uses)
- other land or water uses (such as tourism, resource extraction, infrastructure corridors)
- navigable waters (including safety, current use)

### INFRASTRUCTURE AND SERVICES

- status of social, educational, recreational, and physical infrastructure (including transportation, waste management, utilities)
- availability and capacity of public services, including:
  - o social services
  - o health services
  - o education services
  - o emergency services
- local businesses and media
- cellular and internet capacity

### ECONOMY

- capacity to work in wage economy
- employment statistics
- labour force characteristics
- levels of training and education (status and opportunities)
- level of existing industrial development
- levels and types of business activity
- economic diversity
- characteristics of the traditional economy (including components, participation rates, importance to community)

<sup>31</sup>Developers are encouraged to contact the Prince of Wales Northern Heritage Centre to obtain archaeological site data prior to completing these information requirements. Please refer to their Guidelines for Developers for the Protection of Archaeological Sites in the Northwest Territories available [here](#).

# APPENDIX G—GUIDANCE FOR IDENTIFYING POTENTIAL IMPACTS AND MITIGATION

This Appendix provides guidance to developers for completing Section 3 of the *Proposal for Development*. Developers must provide a high-level description of the potential impacts of, and proposed mitigation for, their development. This information should be based on:

- findings from early public and Indigenous engagement;
- Indigenous Traditional Knowledge;
- scientific knowledge;
- legislative requirements (such as the Species at Risk Act);
- current and potential future environmental conditions;
- predicted interactions with proposed project; and
- professional judgement.

## *Things to consider when identifying impacts:*

- Where, how, and to what extent the project will interact with the environment, such as water, aquatic species, land, wildlife, habitat, people, air (pathways of effects).
- If the pathways might lead to an impact that requires mitigation.
- How the development might affect the well-being of people, such as:
  - o the culture and way of life of Indigenous people, as well as heritage and cultural sites, harvesting and traditional activities
  - o other potentially affected communities
  - o other factors identified in the Review Board's *Socio-economic Impact Assessment Guidelines*<sup>32</sup>
- Any cumulative impacts that the proposed project might cause or contribute to.
- How cumulative effects could combine with natural variation (such as weather extremes) and predicted extreme events due to climate change.

## *Things to consider when identifying mitigation:*

- What mitigation measures will prevent or minimize identified impacts? Include any draft or conceptual management and monitoring plans as appendices.
- How mitigation was identified (for example, through community engagement, best practices, or regulatory standards).
- What monitoring and follow-up will occur to facilitate adaptive management of impacts?
- Alternative mitigation measures that were considered or are contingencies.

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<sup>32</sup>Available online [here](#).

*Developers should consider using:*

- conceptual models (such as exposure pathways and impact models) to support and **illustrate their descriptions of how components of the proposed development could interact** with and affect components of the biophysical and human environments. Conceptual models clearly identify linkages and show interactions between project components and the environment.<sup>33</sup>
- **tables to help identify and characterize potential interactions, impacts, and mitigation measures.** Tables should only be used as a summary of the details of descriptive text (with cross-references to more detailed information and associated management plans). Table 8 and Table 9 below are examples of a summary of potential project interactions with components of the environment, and the identification of potential impacts, proposed mitigation measures and references to associated management plans.<sup>34</sup>

Developers may choose to use tables such as Table 8 and Table 9 to indicate which project components interact with which parts of the environment.

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<sup>33</sup>In addition to summarizing linkages, conceptual models can help identify uncertainties about interactions between project components and the environment, to allow for more focused investigation later in the EA process (such as in scoping, the TOR and the DAR) if necessary.

<sup>34</sup>For additional guidance on how to develop impact worksheets and tables for human environment components, see section 3 of the Review Board's Socioeconomic Impact Assessment Guidelines available at [www.reviewboard.ca](http://www.reviewboard.ca).



Table 8: Example of project component interactions with the biophysical and human environments

Project Component		Environmental Components	Designated areas (e.g. parks, wildlife protected areas)	Ground stability and permafrost	Surface and bedrock geology	Sediment and soil quality	Groundwater	Surface water quality and quantity	Fish and aquatic life
Construction	Road building			x	x	x		x	x
	Quarrying			x	x			x	x
Operation									
Closure									



Table 9 Example of a table showing how an interaction relates to valued components and management actions

Interaction and Impact(s)	Valued Component(s)
<ul style="list-style-type: none"> <li>• Increased dust and sediment dispersal from vehicle traffic on site and access roads                             <ul style="list-style-type: none"> <li>o Dust deposition on vegetation</li> <li>o Increased total suspended solids in nearby water systems</li> <li>o Suspended dust in work areas</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Air Quality</li> <li>• Water Quality</li> <li>• Fish Habitat</li> <li>• Vegetation</li> </ul>
Summary of Management Measure(s)	Associated Management Plan(s)
<ul style="list-style-type: none"> <li>• Year-round dust suppression program to reduce dust and particle dispersion</li> <li>• Sediment and run-off control measures along all roadways to limit sediment displacement</li> <li>• Year-round road and vehicle maintenance plans to ensure integrity and performance of roadways and equipment</li> <li>• Air and water quality monitoring and adaptive management plans to monitor and respond to changing conditions</li> <li>• Vegetation monitoring plan</li> </ul>	<ul style="list-style-type: none"> <li>• See Sections 3.1, 4.5, and 4.6 of the Air Quality Management and Monitoring Plan</li> <li>• See Sections 2.5 of the Equipment and Infrastructure Maintenance Plan</li> <li>• See Section 4.4 and 5 of the Conceptual Water Quality Monitoring and Management Plan</li> <li>• See Vegetation Monitoring Plan</li> <li>• See Sections 4 and 5 of the <i>Proposal for Development</i></li> </ul>



# APPENDIX H—GUIDANCE FOR THE DEVELOPER'S ASSESSMENT PROPOSAL

This appendix is guidance for developers to complete Section 4 [*Developer's Assessment Proposal (DAP)*] of the *Proposal for Development*. Developers must provide:

1. a description of the **valued components** the developer proposes to carry forward in the EA, ordered by priority.
2. an outline of the **proposed assessment methods** to identify potential impacts on those valued components.
3. a plain language summary

## 1. A DESCRIPTION OF VALUED COMPONENTS AND HOW THEY INTERACT

Valued components are the parts of the biophysical or human environments that are important enough to assess in an EA (for example: caribou, cultural well-being, food security, rare plant assemblages, etc.).

Developers should:

- propose valued components and describe why they were selected for assessment;
- describe the pathway of effects related to each valued component;
- identify the potential impacts and mitigations (section 3.3)
- identify how the project could interact with each part of the environment—consider the interconnectedness of the biophysical and human environments as a dynamic system.
- include direct and indirect impacts, accidents and malfunctions, effects of the environment and climate change on the project.
- prioritize valued components—identify those that need more attention and consideration.
- describe how early engagement and collaborative planning informed the selection and prioritization of valued components.

## 2. PROPOSED ASSESSMENT METHODS

Developers should describe:

- proposed assessment techniques and study boundaries (both temporal and spatial)
- environmental quality standards, benchmarks, or guidelines against which predicted effects will be evaluated and the rationale for selecting them.
- whether and how engagement and collaborative planning informed assessment methods
- how they intend to incorporate anticipated primary data collection such as baseline and site-specific studies and Indigenous Traditional Knowledge their proposed assessment
- timelines, assumptions, information gaps, uncertainties, and approaches to addressing information gaps and uncertainties (such as additional studies required and study details)

### *For components that a developer proposes to exclude from further assessment*

- Provide clear rationale for any components that they propose should not be carried forward for additional assessment during the course of an EA.

## 3. PLAIN LANGUAGE SUMMARY

Developers should provide a plain language summary of the full *Developer's Assessment Proposal*. The summary should describe:

- the proposed valued components to be carried forward in the EA;
- which valued components are priorities for the EA; and
- the rationale for the selection of the proposed valued components and assessment priorities.



# APPENDIX I—KEEPING RECORDS OF ENGAGEMENT

This appendix provides guidance for developers to complete Section 5 of the *Proposal for Development* which must include:

- records of engagement
- a summary of how the developer incorporated feedback
- a plan for future engagement

## *Records of engagement*

For each potentially affected group engaged, the record should include:

- Date, time, and location of engagement sessions
- Participants in engagement sessions (including record of attendance, roles of participants)
- Materials presented (such as copies of presentations, summaries of content)
- Meeting minutes or summaries of discussion points and responses
- Results of engagement sessions including:
  - o summaries of issues raised, positions taken by each group, and the identification of key issues or concerns, including project-environment interactions and potential impacts on the environment;
  - o strategies employed to address the issues raised, the status of issues (such as resolved or unresolved), proposed strategies to address unresolved issues; and,
  - o all other information collected.

Records of engagement should be signed by all groups involved to ensure the information reported is accurate and agreed upon.



### **Summary of engagement**

Developers must include a summary of how feedback has been incorporated into the project and the *Proposal for Development*, including any adjustments to or collaborative development of project design components, management strategies, conceptual monitoring programs, assessment priorities and methods.

### **Engagement Plans**

In addition to the records of engagement, the developer should provide engagement plans.<sup>35</sup> Ideally, engagement plans will be co-developed with each potentially affected community and include:

- details of the developer's overall engagement strategies and objectives;
- prospective engagement schedules throughout the EA, and, at least conceptually, the life of the project;
- specific engagement activities and methods for effective engagement;
- rationale for selecting the chosen activities (like a public meeting) and methods (such as how the public meeting is run and organized); and
- contingencies should the prospective schedules or methods not be sufficient.

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<sup>35</sup>When the Review Board refers to an engagement plan in this guideline, it is referring to the engagement plan between a developer and potentially affected party. The Review Board may also develop its own engagement plans but those are not discussed in this guideline.



# APPENDIX J – OTHER GUIDELINES AND RESOURCES

Table 10 Guidance for management plans, monitoring plans and baseline data collection in this appendix lists other prescriptive guidance developers can use when preparing a *Proposal for Development*. This includes:

- guidance for management plans, monitoring plans, and baseline data collection and
- relevant reading and resources the Review Board considered in creating this Guideline.

Table 10 Guidance for management plans, monitoring plans and baseline data collection

TOPIC	DOCUMENT	DOCUMENT LINK
WASTE MANAGEMENT	MVLWB's Guidelines for Developing a Waste Management Plan (2011)	<a href="https://mvlwb.com/resources/lwb-policies-and-guidelines">https://mvlwb.com/resources/lwb-policies-and-guidelines</a>
	MVLWB's Water and Effluent Quality Management Policy (2011)	
	MVLWB/GNWT Guidelines for Effluent Mixing Zones (2017)	<a href="https://mvlwb.com/resources/lwb-policies-and-guidelines">https://mvlwb.com/resources/lwb-policies-and-guidelines</a>
	MVLWB Guideline for the Design, Operation, Monitoring, Maintenance and Closure of Petroleum Hydrocarbon-Contaminated Soil Treatment Facilities in the Northwest Territories (2020)	<a href="https://mvlwb.com/resources/lwb-policies-and-guidelines">https://mvlwb.com/resources/lwb-policies-and-guidelines</a>
	MVLWB/GNWT Guidelines for Effluent Mixing Zones (2017)	<a href="https://mvlwb.com/resources/policies-and-guidelines">https://mvlwb.com/resources/policies-and-guidelines</a>
	ECCC's Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document	<a href="https://www.enr.gov.nt.ca/sites/enr/files/resources/128-hazardous_waste-interactive_web.pdf">https://www.enr.gov.nt.ca/sites/enr/files/resources/128-hazardous_waste-interactive_web.pdf</a>
SPILL MANAGEMENT	Indian and Northern Affairs Canada's Guidelines for Spill Contingency Planning (2007)	<a href="https://publications.gc.ca/site/eng/9.699490/publication.html">https://publications.gc.ca/site/eng/9.699490/publication.html</a>
WILDLIFE AND WILDLIFE HABITAT MANAGEMENT	GNWT's Wildlife Management and Monitoring Plan Process and Content Guidelines (updated 2021)	MVLWB's Guidelines for Developing a Waste Management Plan (2011)
	Canadian Wildlife Service's Federal Policy on Wetland Conservation (1991)	MVLWB's Guidelines for Developing a Waste Management Plan (2011)
	Canadian Wildlife Service's A Framework for the Scientific Assessment of Potential Project Impacts on Birds (2009)	MVLWB's Guidelines for Developing a Waste Management Plan (2011)

## TOPIC

## DOCUMENT

## DOCUMENT LINK

Canadian Wildlife Service's Wind Turbines and Birds: A Guidance Document for Environmental Assessment (2007)

<https://publications.gc.ca/site/eng/9.698741/publication.html>

Canadian Wildlife Service's Recommended Protocols for Monitoring Impacts of Wind Turbines on Birds (2007)

<https://publications.gc.ca/site/eng/9.698742/publication.html>

Canadian Wildlife Service's Guidelines for Effective Wildlife Response Plans (2022)

[https://www.canada.ca/content/dam/eccc/documents/pdf/faune-wildlife/wildlife-plants-species/7\\_NWER\\_GuidelinesForWildlifeResponsePlans\\_EN.pdf](https://www.canada.ca/content/dam/eccc/documents/pdf/faune-wildlife/wildlife-plants-species/7_NWER_GuidelinesForWildlifeResponsePlans_EN.pdf)

Environment and Climate Change Canada's Technical Guidelines for the Environmental Emergency Regulations, 2019 Version 2.0 (2020)

<https://publications.gc.ca/site/eng/9.892445/publication.html>

Environment and Climate Change Canada's Strategic Assessment on Climate Change (2021)

<https://publications.gc.ca/site/eng/9.900425/publication.html>

### EARLY PLANNING

Impact Assessment Agency of Canada's Guide to Preparing an Initial Project Description and a Detailed Project Description

[https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guide-preparing-project-description-detailed-project-description.html#\\_Toc17794696](https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guide-preparing-project-description-detailed-project-description.html#_Toc17794696)

### AQUATIC EFFECTS MANAGEMENT

Indian and Northern Affairs Canada's Guidelines for Designing and Implementing Aquatic Effects Monitoring Programs (2009)

<https://publications.gc.ca/site/eng/9.804906/publication.html>

MVLWB and GNWT's Guidelines for Aquatic Effects Monitoring Programs (2019)

[https://mvlwb.com/sites/default/files/aemp\\_guidelines\\_-\\_mar\\_5\\_19.pdf](https://mvlwb.com/sites/default/files/aemp_guidelines_-_mar_5_19.pdf)

MVLWB and GNWT Method for Determining Available Winter Water Use Capacity for Small-Scale Projects (2021)

[https://mvlwb.com/sites/default/files/2021-04/LWB%20Method%20for%20Determining%20Winter%20Water%20Source%20Capacity%20for%20Small-Scale%20Developments%20-%20Apr%207\\_21.pdf](https://mvlwb.com/sites/default/files/2021-04/LWB%20Method%20for%20Determining%20Winter%20Water%20Source%20Capacity%20for%20Small-Scale%20Developments%20-%20Apr%207_21.pdf)

TOPIC

DOCUMENT

DOCUMENT LINK

TOPIC	DOCUMENT	DOCUMENT LINK
	MVLWB's Draft Guidelines for Developing Baseline Water Quality Monitoring Programs in the Northwest Territories (2018)	<a href="https://wlwb.ca/sites/default/files/mvlwb/DraftGuidelines/draft%20guidelines%20for%20developing%20baseline%20water%20quality%20programs%20in%20the%20Northwest%20Territories%20-%20May%202018.pdf">https://wlwb.ca/sites/default/files/mvlwb/DraftGuidelines/draft%20guidelines%20for%20developing%20baseline%20water%20quality%20programs%20in%20the%20Northwest%20Territories%20-%20May%202018.pdf</a>
CLOSURE AND RECLAMATION	MVLWB and Aboriginal Affairs and Northern Development Canada's Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories (2013)	<a href="https://mvlwb.com/sites/default/files/wlwb_5363_guidelines_closure_reclamation_wr.pdf">https://mvlwb.com/sites/default/files/wlwb_5363_guidelines_closure_reclamation_wr.pdf</a>
	MVLWB, GNWT, and Crown-Indigenous Relations and Northern Affairs Canada's Guidelines for Closure and Reclamation Cost Estimate for Mines (2022)	<a href="https://mvlwb.com/sites/default/files/2022-01/LWB%20GNWT%20CIRNAC%20Guidelines%20for%20Closure%20and%20Reclamation%20Cost%20Estimates%20for%20Mines%20-%20FINAL%20-%20Jan%202019_22.pdf">https://mvlwb.com/sites/default/files/2022-01/LWB%20GNWT%20CIRNAC%20Guidelines%20for%20Closure%20and%20Reclamation%20Cost%20Estimates%20for%20Mines%20-%20FINAL%20-%20Jan%202019_22.pdf</a>
HEALTH	Health Canada's Guidance for Evaluating Human Health Impacts in Environmental Assessment: Air Quality (2016)	<a href="https://publications.gc.ca/site/eng/9.802343/publication.html">https://publications.gc.ca/site/eng/9.802343/publication.html</a>
	Health Canada's Guidance for Evaluating Human Health Impacts in Environmental Assessment: Noise (2017)	<a href="https://publications.gc.ca/site/eng/9.832514/publication.html">https://publications.gc.ca/site/eng/9.832514/publication.html</a>
	Health Canada's Guidance for Evaluating Human Health Impacts in Environmental Assessment: Drinking and Recreational Water Quality (2016)	<a href="https://publications.gc.ca/site/eng/9.832511/publication.html">https://publications.gc.ca/site/eng/9.832511/publication.html</a>
	Health Canada's Guidance for Evaluating Human Health Impacts in Environmental Assessment: Human Health Risk Assessment (2019)	<a href="https://publications.gc.ca/site/eng/9.870475/publication.html">https://publications.gc.ca/site/eng/9.870475/publication.html</a>
	Health Canada's Guidance for Evaluating Human Health Impacts in Environmental Assessment: Radiological Impacts (2017)	<a href="https://publications.gc.ca/site/eng/9.803614/publication.html">https://publications.gc.ca/site/eng/9.803614/publication.html</a>
	Health Canada's Guidance for the Environmental Public Health Management of Crude Oil Incidents: A Guide Intended for Public Health and Emergency Management Practitioners (2018)	<a href="https://publications.gc.ca/collections/collection_2018/sc-hc/H129-82-2018-eng.pdf">https://publications.gc.ca/collections/collection_2018/sc-hc/H129-82-2018-eng.pdf</a>



Additionally, applicants may also want to look at the Land and Water Board's Standard Water Licence and Permit Conditions Templates,<sup>36</sup> since some of the standard conditions relate to potential mitigation measures and/or monitoring and response frameworks.

### *Other relevant reading and resources*

Some of the material the Review Board considered in developing this Guideline include:

- MVLWB Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits
- MVLWB Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories
- MVLWB Guidelines for Developing a Waste Management Plan
- Impact Assessment Agency of Canada Guide to Preparing an Initial Project Description and a Detailed Project Description
- First Nations Major Projects Coalition Major Project Assessment Standard
- BC Environmental Assessment Office Application Information Requirements Guideline
- MVLWB Geospatial Data Submission Standards

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<sup>36</sup>Available at <https://mvlwb.com/resources/lwb-policies-and-guidelines>

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