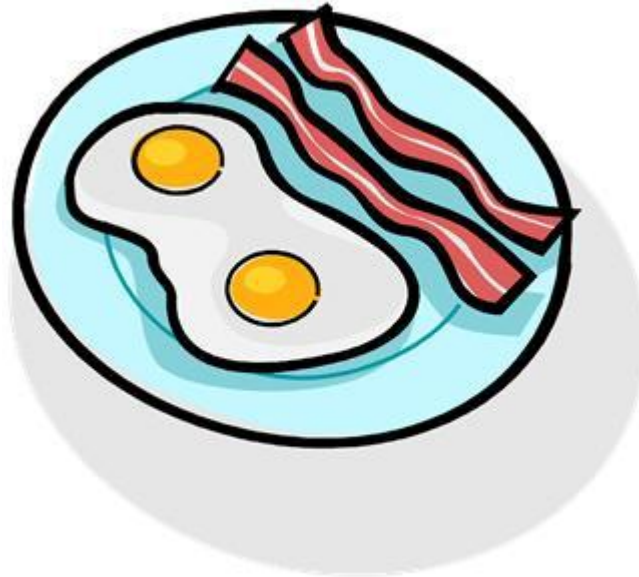


What's a commitment worth?



The evolution of commitments in
environmental impact assessment in the
Mackenzie Valley, Canada

The Mackenzie Valley Review Board



- Co-management Board
- Responsible for EIA in majority of the Northwest Territories in Canada
- Completed 37 assessments since 1999

Types of projects



- Mining
- Oil & gas
- Infrastructure
- Remediation



What's a commitment?

- Things the proponent promises it will do that are generally not in the project description
- Commitments are refined throughout the EIA process
 - Consultation between parties and the proponent
- Responses to address issues raised during EIA

“Fortune Minerals commits to active refilling of the open pit after operations to reduce length of closure time”

-NICO report of EIA

“Canadian Zinc will construct an improved water treatment plant”

-Prairie Creek Mine Report of EIA

Evolution of commitments

- Late 90's: Review Board started identifying, itemizing and tracking commitments
- Mid 2000s: Proponents started documenting commitments themselves
- Since 2006: Review Board started to include “implementation of commitments” as conditions of project approval

Where we're at now

- Proponent and parties develop and refine commitments throughout the EIA process
- EIA decision report includes the commitments in an appendix
- Considered as part of the project or mitigation
- Considered in the determination of significance of impacts



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Appendix B: List of Developer's commitments

Why use commitments in EIA

- Fewer surprise measures for company
- Greater certainty in EIA outcomes
- Increased clarity on what the commitment is
 - Discussed during EIA phases
- Less need for EIA agency to impose mitigation measures
 - Politically acceptable
- Increased Social License to Operate

Why use commitments in EIA

- Tend to be more detailed than measures
- Autonomy for company
 - Economically and technically feasible
 - Acceptable to the company because they agreed to it
- Addresses any type of impact, including issues that cannot be included in permits (socio-economic / cultural)

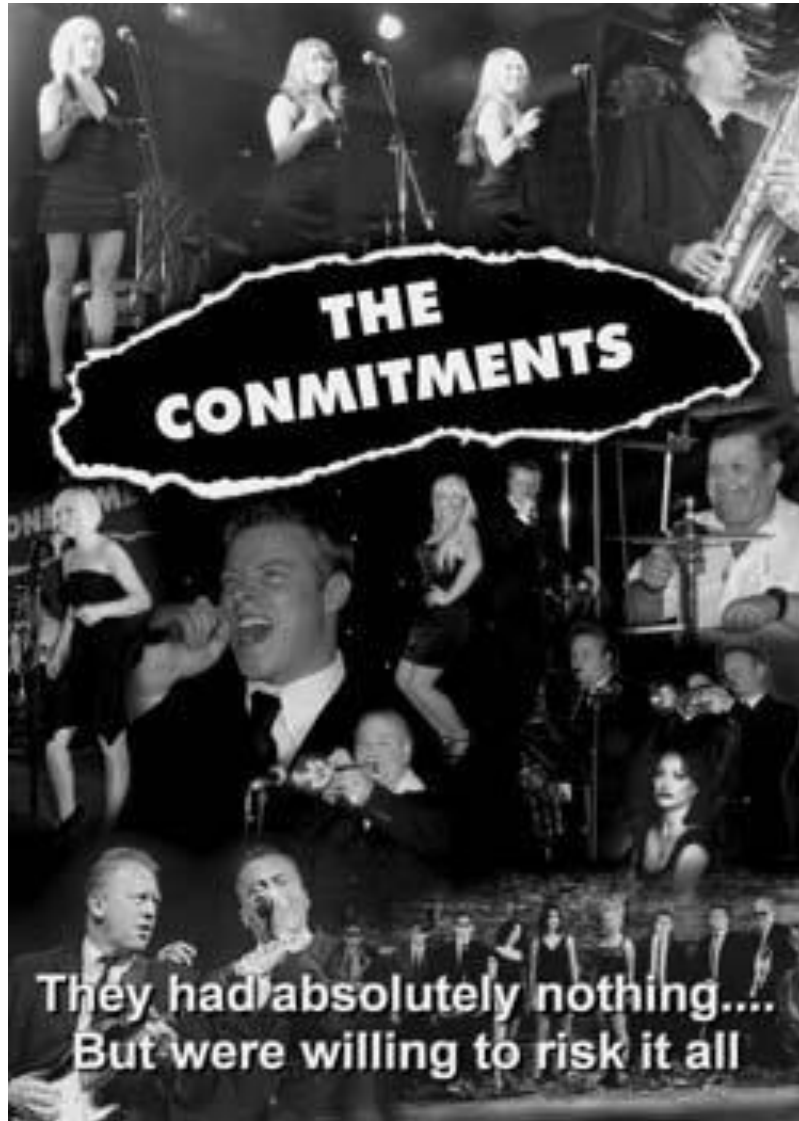


Challenges in implementing commitments

- Must be clear to prevent different interpretations
- May not fit into licenses/permits
- Possible lack of enforcement
 - requires trust in the proponent
 - increases risk of commitments not being fulfilled
- May require tracking and follow up over project life

Applying commitments in EIA

- EIA process can be structured to encourage commitments
- Still require careful evaluation



Applying commitments in EIA

- Commitments require careful evaluation
 - Will it get done?
 - Will it be effective?
 - Does it go far enough to address the issue?
- Measures in EIA decisions can build on commitments to provide specifics or reinforcement
- Commitments can link adaptive management to the EIA decision



In conclusion...

- Commitments give proponents the opportunity to address issues directly
 - simplifying process by taking issues off the table
 - increasing certainty in EIA decisions
- Commitments, carefully made and systematically considered, can be an important tool in EIA:
 - Making projects better
 - Mitigate impacts



A commitment is worth a lot if...

- ✓ It is clearly worded
- ✓ It will achieve its intended effect
- ✓ It is followed through

Given the right scrutiny, this is a valuable and versatile addition to the impact assessment toolkit