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***Focus Groups on  
Discussion Paper on  
Socio-Economic Impact Assessment  
Guidelines for Environmental  
Assessment in the Mackenzie Valley***

**June 28 & 29, 2005**

**Report  
(July 18, 2005)**

**Mackenzie Valley Environmental Impact Review Board  
Yellowknife, NT**

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## EXECUTIVE SUMMARY

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### ***Introduction***

The Mackenzie Valley Environmental Impact Review Board ("MVEIRB" or the "Review Board") is currently preparing socio-economic impact assessment (SEIA) guidelines for the Mackenzie Valley that will be responsive to the needs of different parties engaging in the EIA process developed under the *Mackenzie Valley Resource Management Act* (MVRMA). Review Board staff worked with Terriplan Consultants in the preparation of a Discussion Paper on "Socio-Economic Impact Assessment Guidelines for Environmental Assessment in the Mackenzie Valley" (June 21, 2005). This Discussion Paper was used as the basis for review by four focus groups on June 28 & 29, 2005. The purpose of the focus groups was to obtain impressions from individuals representing a range of organizations with an interest in socio-economic impact assessment in the Mackenzie Valley. In particular, opinions were invited on what the forthcoming SEIA Guidelines should include, focus on, explain, and look like.

Focus group participants were among the first parties to provide public comment in the development of draft SEIA guidelines. Earlier in the guideline development process, SEIA practitioners were interviewed. Peer reviewers provided feedback on an annotated table of contents, and subsequently preliminary drafts of an SEIA guideline prepared by Terriplan and MVEIRB staff. MVEIRB staff were not comfortable that the product represented actual "guidelines", and decided to use the focus group setting as a forum for many parties to use the Discussion Paper as a starting point for a larger discussion about what different groups want and need out of SEIA Guidelines for the Mackenzie Valley.

The focus groups were intended to provide 'high level' feedback on the draft guidelines at an early stage in their development. This report provides a summary of the comments made by participants at the focus groups; the MVEIRB will be considering these and others in the preparation of a draft SEIA Guidelines document that will be distributed for wider public review and comment later this year. Key comments are summarized below; more detailed comments are provided in subsequent sections. Appendix C includes a list of the issues parties identified as requiring explanation in the SEIA Guidelines.

### **Consensus was reached on...**

- The requirement for 2 documents, the first being a set of SEIA Guidelines – instruction on what to consider when undertaking SEIA; and the second being a SEIA Handbook for parties wanting to learn more about SEIA and engage more fully in the process.
- The requirement to work with other parties to develop tools (informal triggers, minimum standards, lists of questions, community engagement strategies) and provide parties with these tools to more fully engage in SEIA.

- Focussing the document on the Review Board's expectations for SEIA.
- Focussing on the roles and responsibilities of all parties in the conduct of an SEIA.
- The need to make the SEIA Guidelines document short and user friendly via language and images used.
- The need to illustrate the legal context within which the SEIA Guidelines works, how the SEIA Guidelines fit into the larger umbrella of Review Board guidelines and policy, and the social, economic and cultural context of the Mackenzie Valley that SEIA impacts arise within.

## Overall Approach

- The document needs to be concise, using simple language, and be accessible to the reader. General consensus was that "plain language" be built into the Guidelines themselves.
- A 'quick reference' or modular approach could be used, presenting only the key information, with links / references to additional information sources provided for those who want them (this could be on-line or in appendices/ separate documents).
- The guidelines should emphasize Board expectations/ requirements with respect to the practice of SEIA, with little emphasis on 'what is SEIA'. A "teaching document" could be part of subsequent handbooks.
- Overlap with the MVEIRB's March 2004 *Environmental Impact Assessment Guidelines* and the May 2005 *Guidelines for Incorporating Traditional Knowledge into the Environmental Impact Assessment Process* should be minimized. While some suggested integrating the various guidelines, others noted that at a minimum, they should be clearly stated as being 'companion documents'.

## Meeting Audience Needs

- Different audiences may need different guidance documents. For example, developers will have different needs than communities, government reviewers, regulators, or others involved in the environmental impact assessment process in the Mackenzie Valley. The document needs to have a specific audience in mind; more than one document may be needed to reach the audiences. This may require a phased approach, focusing initially on the priority audience(s) – identified by focus group members as the companies whose developments are subject to EIA.
- While the 'background' information provided in the Discussion Paper is needed, the focus should be on 'how to do SEIA in the Mackenzie Valley' and 'the MVEIRB's expectations'.

## Format and Presentation of Ideas and Concepts

- The use of visuals, colour and graphic design would enhance the document.
- 'Lessons learned' from previous projects / case studies or examples would be informative.
- Checklists should be used in places where parties are asked to perform a series of tasks (e.g., developers engaging in community consultation)
- If MVEIRB Values and/or Principles of SEIA are to be included, they should be located early in the document and in brief form.

### **Information Priorities**

The SEIA Guidelines must include, at minimum, information on the following.

- Clarity is needed with respect to the roles and responsibilities of various parties - particularly developers, government, aboriginal groups, MVEIRB, communities, preliminary screeners - during the SEIA/EIA process.
- How developers should and can engage in early and continuous consultation with potentially-impacted communities and aboriginal groups.
- MVEIRB's values and/or principles of good SEIA should be included as part of the context for requiring SEIA.
- The guidelines need to speak directly to the MVEIRB's expectations for all three levels of EIA (preliminary screening, environmental assessment and environmental impact review). Participants consistently asked the Review Board to explain "What do you want us to do?"
- Level of effort: How will developers know when they have provided sufficient SEIA information? Developers are faced with a challenge with respect to SEIA particularly for smaller projects. What level of effort and detail is needed? The MVEIRB's expectations associated with small development proposals vs. relatively large/ complex/ controversial projects need to be clear. The development of informal "triggers" for greater levels of SEIA effort were overwhelmingly supported by focus groups.
- There needs to be clarity in terms of the 'state of the art' with respect to SEIA, and the Mackenzie Valley process. The guidelines should distinguish 'legal requirements', what is required under the MVRMA, vs. a more general understanding of what constitutes 'good practice' of SEIA.
- Focus equally on 'social', 'economic' and cultural aspects of SEIA. And the Review Board should not artificially segregate certain aspects of culture (e.g., heritage resources) from the SEIA Guidelines.
- What constitutes "significant public concern" and "significant adverse impact", and how the Review Board makes this determination in SEIA.
- Where SEIA fits into the bigger picture of EIA needs to be made clear.
- The Timelines of SEIA steps, in the context of the larger EIA.

### ***Discussion Paper Content – Main Text***

## Section 1: Introduction

- Participants were concerned that the full range of cultural factors is not included in the discussion paper, as these are often key issues for development proposals.
- If there are to be exclusions of any Social, Economic or Cultural considerations, there needs to be guidance on how to find out more information (e.g., human health, occupational health and safety, some cultural factors? ~~Are the exclusions somewhat arbitrary?~~)
- If specific guidance is to be developed on the cultural impacts related to land use planning, relationships with the land, withdrawn and protected areas, and heritage resources, these issues could still be addressed on an interim basis in these guidelines.

## Section 2: Defining Socio-Economic Impact Assessment

- Some participants felt that this section could be shorter/simpler, perhaps combined with Section 1.
- Definitions and distinctions between “social”, “economic” and “cultural” need to be consistent with the MVRMA, and a rationale for their inclusion in EIA given.
- There needs to be a listing both of the ‘main SEIA questions’ that have been struggled with for years, e.g., the root causes of social and economic impacts, and how these questions can be expected to be recast in project-specific terms for a Terms of Reference.

## Section 3: SEIA – Principles and Challenges

### *Principles*

- If the MVEIRB is going to include Principles, they have to be the “MVEIRB Principles”, not some generic “good SEIA Principles”.
- Principles should be tested against their relevance to Mackenzie Valley EIA, whether they are actually used by the Review Board, should be concise, and perhaps even restated in terms of preferred SEIA outcomes.

### *Challenges*

- Most people found that a separate section on challenges is weighty, even somewhat depressing and counterproductive. “Here is what you should do, and here is how it won’t matter anyway” does not cut it! Challenges should be recognized, but treated as hurdles to be overcome (with guidance on how) in the appropriate parts of the text.

## **Section 4: The SEIA Process**

- Section 4 (an explanation of the SEIA Process) was recognized as the “meat and potatoes” of the Discussion Paper.
- Any SEIA Process section needs emphasis/focus on practical ‘how to’, with an understanding of ‘why’, and the benefits of doing the various steps.
- The SEIA process described in this section should be suited to both large/complex projects led by major companies, as well as small- to medium-sized companies proposing small/routine developments. The MVEIRB needs to give consideration to some kind of ‘rapid assessment’ approach for smaller projects in the EIA process.
- Clarity is needed with respect to the roles and responsibilities of various parties (e.g., developers, government, MVEIRB, communities) during the socio-economic impact assessment process (e.g., for impact mitigation and management)
- A ‘one-stop shopping’ approach, describing the expectations, involved parties, and contacts would be helpful.
- The relationship between the MVEIRB’s EIA and TK guidelines, the SEIA Guidelines, the generic table of contents for project terms of reference (including Section H on socio-economic impacts), project-specific terms of reference (ToR), and the Developers Assessment Report (DAR) needs to be clear. The ToR would reflect the SEIA guidelines, but be based on specifics of the proposed development, and would provide the basis for the proponent’s work.

## **Section 5: Conclusions and Future Amendments**

- No specific comments were received on Section 5.



### ***Guideline Content - Appendices***

- Several respondents commented that the appendix material would generally be of value. Much of what has currently been placed in appendices may in fact more appropriate as 'main text' in the Draft Guidelines.
- Appendix B: It would be helpful to point to 'good' SEIA case studies or examples, particularly in the NWT or Northern context. However, some participants noted that case studies may appear to 'set the precedent', and should be presented carefully.
- Appendix C 'Criteria and Indicators for SEIA' could be part of the main text, not in a prescriptive fashion, but to allow for a 'rapid assessment' of the kinds of issues that may be associated with a proposed development.
- Participants viewed Appendix E 'Mackenzie Valley Socio-Economic Data Source Checklist' as a valuable resource
- The MVEIRB needs to work closely with the Mackenzie Valley Land and Water Board (MVLWB) and other screening authorities regarding SEIA and the preliminary screening stage of the environmental impact assessment process, as described for example in Appendix H (SEIA and Preliminary Screenings). Whatever guidance is provided must be agreed-upon by these organizations.

## 1.0 INTRODUCTION

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The Mackenzie Valley Environmental Impact Review Board (MVEIRB) is currently preparing socio-economic impact assessment (SEIA) guidelines for the Mackenzie Valley responsive to the needs of different audiences in the Mackenzie Valley. Terriplan Consultants have been providing services to support the development of the draft guidelines, including a literature review, interviews with NWT practitioners, the preparation of an annotated table of contents, and the submission of an Initial Draft Guidelines. Board staff used these efforts to develop a Discussion Paper on Socio-Economic Impact Assessment Guidelines for Environmental Assessment in the Mackenzie Valley (June 21, 2005) for review at four focus groups on June 28 & 29, 2005. Terriplan assisted with the organization of the focus groups, and facilitated and reported on the sessions to the MVEIRB. This report consolidates notes of Terriplan and the MVEIRB staff. Comments and questions should be directed to Alistair MacDonald, Environmental Assessment Officer at the MVEIRB – [amacdonald@mveirb.nt.ca](mailto:amacdonald@mveirb.nt.ca), or (867) 766-7052.

Earlier in the guideline development process, SEIA practitioners were interviewed. Peer reviewers provided feedback on an annotated table of contents, and subsequently on a preliminary draft prepared by Terriplan and revised by MVEIRB staff, and released as a Discussion Paper on the SEIA Guidelines. The focus groups setting was used as a forum for many parties to critique the Discussion Paper as a starting point for a larger discussion about what different groups want and need out of SEIA Guidelines for the Mackenzie Valley.

Focus group participants were asked to provide comment on the Discussion Paper. The focus groups were intended to provide 'high level' feedback on the draft guidelines at an early stage in their development. As the structure and content of the SEIA Guidelines are still being refined at a conceptual level, the focus groups were not an editing exercise. Rather, their purpose was to get impressions from individuals representing a range of organizations with an interest in socio-economic impact assessment in the Mackenzie Valley. The overarching question the Review Board posed was "What should SEIA Guidelines for the Mackenzie Valley look like?".

This report provides a summary of comments made and direction proposed by participants at the focus groups; the MVEIRB will be considering these and others in the preparation of draft SEIA Guidelines that will be distributed for wider public review and comment.

The agenda for the focus groups is provided as Appendix A. A list of focus group participants is provided in Appendix B.

## 2.0 GENERAL COMMENTS

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The general approach at the focus groups was to move from the 'general' to the 'specific'. General comments related to the overall format and structure of the draft guidelines document are summarized below. Comments on the content of the document (main text and appendices) are summarized in Section 3, while more general comments are provided in Section 4.

NOTE: Not all comments that were received in focus group are included here. In *addition, all comments have been rephrased as statements of what should and shouldn't be in the Draft SEIA Guidelines, not what was in the Discussion Paper.* The Review Board would appreciate any feedback participants have on whether this document references all the issues that should be covered in an SEIA Guidelines.

### 2.1 Overall Approach

- The document needs to be concise, using simple language, and be accessible to the reader. The document should not be academic or theoretical; it needs to focus on providing guidance to the intended audience(s). Little or no discussion is needed on philosophy or history. Only very basic information on legal authority is needed.
- The document should take a 'plain language' approach. 'Buzzwords' and jargon must be avoided. Examples of plain language documents such as recent fact sheets on the MGP developed by the Status of Women's Council on the MGP were identified as inexpensive models that could be used.
- A 'quick reference' or modular approach could be used, presenting only the key information, with links / references to additional information sources provided for those who want them (this could be on-line or in appendices/ separate documents rather than footnotes or boxes).
- The SEIA Guidelines should emphasize Board expectations/ requirements with respect to the practice of SEIA.
- A glossary or set of definitions is needed, with most parties feeling it should be at the start of the document.
- Overlap with the MVEIRB's March 2004 *Environmental Impact Assessment Guidelines* and the May 2005 *Guidelines for Incorporating Traditional Knowledge into the Environmental Impact Assessment Process* should be minimized. While some suggested integrating the various guidelines, others noted that at a minimum, they should be clearly stated as being 'companion documents'.
- The MVEIRB may wish to conduct a 'beta test' or other internal process to determine how effective the SEIA guidelines will be.

## **2.2 Meeting Audience Needs**

- Different audiences may need different guidance documents. For example, developers will have different needs than communities, government reviewers, regulators, or others involved in the environmental impact assessment process in the Mackenzie Valley. The document needs to be drafted with a specific audience in mind; more than one document may be needed to reach the audiences. This may require a phased approach, focusing initially on the priority audience(s).
  - Developers may need more information on Board expectations and MVRMA requirements with respect to SEIA, and what is needed to meet them
  - Communities may want to know more about the process, how they can be involved
- While the 'background' information provided in the draft document is needed, the focus should be on 'how to do SEIA' and 'the MVEIRB's expectations'.

## **2.3 Format**

- There was general agreement that Pullouts, such as Text Boxes, should be used to illuminate examples, but need to be linked to the surrounding text.
- The use of more visuals, colour, pictures and graphic design would enhance the document.
- Checklists, worksheets, and tables could be used to synthesize some of the information that is in the main text, rather than having a text heavy document.
- 'Lessons learned' from previous projects / case studies or examples would be informative.

## **2.4 Information Required**

*NOTE: Appendix C has a table listing all information components for the SEIA Guidelines called for by focus group members. Feel free to comment on items you consider important that are not included in this table.*

- Clarity is needed with respect to the roles and responsibilities of various parties (e.g., developer, government, MVEIRB, communities) during the SEIA/EIA process
- The guidelines need to speak directly to the MVEIRB's expectations for the three levels of EIA (screening, environmental assessment and review). "What do you want us to do?" How will developers know when they have provided sufficient SEIA information? How can expectations (e.g., on the part of communities) be managed as to what is appropriate or included in an SEIA? While guidance and clarity is needed, it was acknowledged that there also needs to be flexibility to reflect each specific

development proposal. The Board can be prescriptive where there are legal or regulatory requirements to be met. Where there are no such requirements, there is more discretion in terms of what should be examined and how.

- There needs to be clarity in terms of the 'state of the art' with respect to SEIA, and the Mackenzie Valley process. The guidelines should distinguish 'legal requirements' with respect to Part 5 of the *MVRMA*, vs. 'good practice'.
- The MVEIRB's expectations associated with small development proposals (e.g. a six-hole drilling program using known methods) vs. relatively large/ complex/ controversial projects need to be clearer, not only with respect to SEIA, but for the other aspects of EIA as well. There are capacity limitations for junior companies doing smaller projects. It may be possible to develop criteria, 'triggers', or thresholds (e.g., # of workers, person years of employment, capital cost) that could be used to determine the level of effort needed, at least in the initial stages of environmental impact assessment. There may be some precedents in the Tlicho Agreement (e.g. impact benefit agreements) and the Nunavut Land Claim Agreement. There is a basis for oil and gas benefits plans in legislation. The NEB is looking at filling some socio-economic gaps through the COGOA.
- With respect to transboundary projects, some discussion of how SEIA would work in joint assessments with the National Energy Board, Canadian Environmental Assessment Agency, and Yukon frameworks would be helpful.
- In explaining different impact assessment methods, in this or subsequent documents, the differences between social and economic impact assessment need to be made clear. These SEIA Guidelines should include equal emphasis of social and economic impact assessment.
- There are two components to EIA/SEIA – data collection/synthesis by developers (and in some cases, other parties), and the MVEIRB review/decision. Some focus group participants called for more accountability on the latter is needed, for example, through an explicit evaluation framework that shows a systematic approach.
- It was noted that suggestions could be provided for municipalities or others with respect to signs/indications that they should be involved early on in the process, as once a project is approved/operating, it may be too late to have key issues addressed. For examples 'traffic signals' or indications of key points of involvement in the process would be helpful.
- The guidelines could include a statement putting the NWT in the context of national and international SEIA; the ownership of resources, 'polluter pays' principle, and the rights of resource owners/Aboriginal people could be reflected.
- Discussion of consultation and its role in SEIA is required. Will the MVEIRB be preparing consultation guidelines? It was noted that DIAND is preparing a 'regional consultation strategy' that should be available in a few months.

### 3.0 COMMENTS – DISCUSSION PAPER CONTENT

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*NOTE: This section looks at comments on the content of the Discussion Paper. Comments are not being used as an editing exercise; the SEIA Guidelines will look very different from the Discussion Paper. Rather, key ideas are pulled out here.*

#### 3.1 Section 1: Introduction

- Many small projects are referred to EA. It was suggested that smaller projects should require a very simple generic application/licence. In response, it was noted by other participants that a small project could potentially have significant impacts or public concern, e.g., if related to a sacred site.
- Participants were concerned that the full range of cultural factors be included in the SEIA Guidelines, as these are often key issues for development proposals. There is a need to look at Section H of the standard table of contents for Terms of Reference and be consistent with it.
- When and where will guidance be found on those topics not included in the SEIA guidelines, e.g., human health, occupational health and safety? Should these things be excluded?
- Specific guidance should be developed on the cultural impacts related to land use planning, relationships with the land, withdrawn and protected areas, and heritage resources
- A summary could be provided of the various applicable health guidelines/standards that do exist.
- It may be useful to have a brief discussion of the structure of the *MVRMA*, land claims, sustainability and integrated resource management (e.g., relationship between land use planning and environmental impact assessment), and carry it through the document, e.g., as principle.
- Additional discussion - with a cross-reference to the EIA Guidelines – is required of 'significant adverse effects' and 'significant public concern', so that developers and others have a better understanding of how these are gauged and what it means for their environmental impact assessment process.

### **3.2 Section 2: Defining Socio-Economic Impact Assessment**

- Some participants felt that this section could be shorter/simpler, perhaps combined with section 1.
- How is the distinction made between 'social' and 'economic'? Where is 'cultural'? The guidelines need to be consistent with the MVRMA.
- The 'main questions' SEIA ask can be asked, but it should be noted that they may not all be answerable in a project specific SEIA. We have struggled with understanding the root causes of social and economic impacts for years – don't create an expectation here. Make it clear that recasting these questions in project-specific terms is essential. One respondent stated that at minimum, a development should 'do no harm', even if it can not resolve long-standing social and economic issues.
- Cumulative socio-economic effects warrant more discussion. There is a need to be explicit as to how 'past' developments are factored in (as part of the baseline, or otherwise), and what constitutes a "reasonably foreseeable" future development. The effects from previous development activities (e.g., oil and gas in Fort Liard, the Beaufort, metals mining around Yellowknife and other communities) are still being experienced today.

### **3.3 Section 3: SEIA – Principles and Challenges**

- There was a suggestion that Principles should be put at the beginning of the document.

#### **3.3.1 Principles**

- What is required is "MVEIRB's Principles of Good SEIA", not generic SEIA Principles. Some respondents questioned whether 'principles' were appropriate in a guidance document.
- Principles should be linked to the SEIA process in the Mackenzie Valley and to the MVRMA requirements, others can be identified as 'best practices'
  - Need to simplify
  - Use care in stating 'must', 'should' in the principles
- A possible approach would be to focus the principles into 'outcomes for SEIA'. The principles should be reflected in the direction/guidance provided, not necessarily stated explicitly in the guidelines. Principles may be 'in-house', but used in the development of guidance, ToR, review of DARs etc.
- Some participants felt that 'maximizing the positive' is not necessarily part of SEIA – the emphasis is on decreasing the negative impacts. 'Benefits' are only referred to in Part 2 of the MVRMA (Land Use Planning).

- Precautionary principle – is this a Board principle?
- 'Respondent fatigue' is major issue in the NWT; perhaps streamlining the application process would help address this? Others responded that 'fatigue' was more related to not being listened to or having a valid role in the process.
- 'Questions for Sustainability' (International Institute for Sustainable Development, 2002) contains a number of principles that should be reviewed.
- Principles should be right up front to provide context.

### 3.3.2 Challenges

- This section is useful, but should be an appendix or separate document providing background information. Not necessarily appropriate for a guidance document.
- 'Solutions to overcome the challenges' would be more helpful, where this is possible. Other challenges are inherent and difficult to overcome.
- Re: indicators: An additional challenge is identifying meaningful indicators for which data is available at a community and Mackenzie Valley-wide basis. Proponents can also consider the use of 'positive indicators', rather than just 'negative' ones.
- Availability of longitudinal baseline data is a major challenge, as is the need for 'quality assurance/quality control' when considering the reliability of the data used in SEIA. Primary source data should be weighted more heavily than newspaper articles. Responsibility of government to collect the baseline information, so why are proponents constantly doing it?
- Need to note the difficulty of determining the cause(s) of complex social and economic change occurring in the NWT (some of which are related to development, while others are not), predicting the socio-economic future scenario in the absence of a development.
- Need acknowledgement here or elsewhere that MVEIRB recognizes limitations of SEIA
- 'Barriers to community participation' needs to reflect that communities also make choices with respect to participation, beyond the influence of the developer.



### **3.4 Section 4: The SEIA Process**

#### **3.4.1 Comments - Section 4**

- Section 4 is the 'guts' of the document, and needs emphasis on practical 'how to', with an understanding of 'why', and the benefits of doing the various steps
- The SEIA process described in this section is more suited to large/complex projects led by major companies, rather than junior companies proposing small/routine developments. The MVEIRB needs to give consideration to some kind of 'rapid assessment' approach for smaller projects in the EIA process.
- Additional clarity is needed with respect to the roles and responsibilities of various parties - developers, government, MVEIRB, communities, others - during the socio-economic impact assessment process (e.g., for impact mitigation and management)
- A 'one-stop shopping' approach, describing the expectations, involved parties, and contacts would be helpful
- The draft document does not speak to the timelines for various steps or the SEIA process / EIA process overall, or for various parties at specific points in the process. This was of concern in the recent report from the Office of the Auditor General.
- Need to be clear that the SEIA is merely an input to overall EIA process.
- The relationship between the MVEIRB's EIA and TK guidelines, the SEIA Guidelines, the generic table of contents for project terms of reference (including Section H on socio-economic impacts), project-specific terms of reference (ToR), and the Developers Assessment report needs to be clearer. The ToR would reflect the guidelines, but be based on specifics of the proposed development, and would provide the basis for the proponent's work.
- Need to indicate that MVEIRB expects developers to clearly document assumptions, data collection, evaluation methodology etc. in the DAR. The thought process used in reaching conclusions at all stages of the SEIA should be transparent (e.g., the thresholds used for making determinations of significance). It was suggested that perhaps the guidelines should not be prescriptive with respect to the various steps; this can be done through project-specific ToR.
- Need to emphasize the iterative nature of SEIA steps, and "good practice" role of communities and aboriginal groups in that process. Need to describe developer interaction/discussion with the communities, iterative nature of the process, need for communities to understand process and their role.
- Community engagement – not just a one-way communication – is needed
- Careful and consistent use of terms such as 'direct', 'indirect', 'induced', 'cumulative' impacts is needed.

- Direction from the MVEIRB on the 'minimum standard of data to be included' would be helpful for developers, data providers and reviewers.
- The guidelines need to acknowledge that while community concerns are important considerations in scoping the issues / questions to be addressed in SEIA, there may be others of importance that are not identified by communities as priorities.
- Methodology is only described for the 'profiling/baseline conditions' step; should methodological discussion be removed from the document, replaced only with Board expectations in that regard?
- It would be helpful to identify 'points of contact' for various organizations that will be involved in the SEIA process.
- Examples or lists of potential 'valued components' would be helpful, recognizing that valued components are specific to communities/developments and flexibility is required. There are examples out there to build upon, e.g., work done by Lutsel K'e.
- Need to indicate that impacts may not be 'Mackenzie Valley-wide' – scoping and the project-specific Terms of Reference will provide direction. Thus need to indicate that the Developers Assessment Report may not necessarily address certain factors that are included in the guidelines.
- What is role of communities / affected parties in defining the Valued Components? Developers should be working with communities on this.
- Defining spatial boundaries – it is difficult to obtain data for study areas that are not community-specific, e.g., data is either at community or territorial level; there is no 'middle ground' re: study areas aligning with areas of data collection. While guidelines do speak to intellectual property rights and TK, there should be a note with respect to sensitivity of data in small communities, e.g., where it is relatively easy to relate figures to specific families.
- Defining 'Directly Affected Communities' – simple distance is not the only criterion; in the NWT, a relatively few communities with a low overall population means that in some cases, all communities could be 'directly affected' by a development. Some felt the emphasis should be on small communities to a greater extent than centres such as Yellowknife. Others noted that community members/beneficiaries may be located in centres such as Yellowknife, but not necessarily on a permanent basis.
- Community capacity issues should be given sufficient emphasis.
- Need to emphasize that criteria and indicators will be community/situation-specific; linked to valued components.
- Additional guidance is needed in respect to how significance is determined, for example with respect to the roles of the developer and of the MVEIRB.
- The discussion of mitigation measures needs to carefully discuss compensation, and recognize that there is a 'hierarchy' of mitigation approaches to be considered (e.g., compensation is generally a 'last resort' after other mitigation measures have been considered)
- Linkage diagrams might help in understanding how positive and negative impacts are created, and how they interact.
- Illustrate ways socio-economic mitigation can be done on a project-specific basis, e.g., socio-economic agreements and/or IBAs.

### **3.5 Section 5: Conclusions and Future Amendments**

- No comments were provided with respect to Section 5.

### **3.6 Appendices**

- As only annotated outlines of the potential appendices were provided, many participants noted it was not possible to provide specific comments. Several commented that the appendix material would generally be of value.
- Much of what has currently been placed in appendices may in fact more appropriate as 'main text'; if left as appendix material, it may be considered 'secondary'.
- Maps/graphics of the process would be helpful.

#### **3.6.1 Appendix A. Key SEIA Concepts and Definitions**

- A glossary of terms is needed

#### **3.6.2 Appendix B. Additional SEIA Literature**

- It would be helpful to point to 'good' SEIA case studies or examples, particularly in the NWT or Northern context. However, some participants noted that case studies may appear to 'set the precedent', and should be presented carefully.

#### **3.6.3 Appendix C. Criteria and Indicators for SEIA**

- Appendix C could be part of the main text, presented not in a prescriptive fashion, but to allow for a 'rapid assessment' of the kinds of issues that may be associated with a proposed development.

#### **3.6.4 Appendix D. Tools and Methods for Socio-Economic Impact Assessment**

- If the audience are 'experts', they would not need Appendix D; however, it was acknowledged that many developers would not use experts for the SEIA component.

#### **3.6.5 Appendix E. Mackenzie Valley Socio-Economic Data Source Checklist**

- Participants viewed Appendix E as a potentially valuable resource.
- This appendix should include links to on-line sources (e.g. Bureau of Statistics).

- Add harvester surveys (at community level; may be some territorial analysis).
- The MVEIRB did a survey of NWT organizations in the 90s re: relevant data sources; this could be revisited.
- This needs to be stated as Board expectation, in main text of the document.

### **3.6.6 Appendix F: SEIA and Non-Renewable Resource Development**

- Why would there be a distinction between renewable and non-renewable resource development? While there are sectoral differences (e.g., mining, oil and gas, hydroelectric, infrastructure), the distinction may not be strictly one of renewable vs. non-renewable. Perhaps more useful to distinguish on the basis of project size/potential impact?
- Some of what is to be included in Appendix F could go to the main text.
- Appendix F should include references to 'best practices' guideline documents on a sectoral basis.

### **3.6.7 Appendix H: SEIA and Preliminary Screenings**

- The MVEIRB needs to work closely with the Land and Water Boards and other screening authorities regarding SEIA and the preliminary screening stage of the environmental impact assessment process. Whatever guidance is provided must be agreed-upon by these organizations.
- Use an 'actual' checklist used by a screening agency, e.g., the MVLWB. A compilation of existing checklists would be helpful.
- The GNWT has developed a checklist of six points; it has been reviewed by Cabinet, and should be included / referred to<sup>1</sup>.

## **4.0 OTHER COMMENTS**

- The MVEIRB needs to work closely with the Mackenzie Valley Land and Water Board (MVLWB) regarding SEIA and the preliminary screening stage of the environmental impact assessment process. The MVLWB is the primary screening authority in the Valley; their view is that the MVRMA limits the consideration of SEIA at the screening stage of the process. Any guidelines that are prepared must be developed in partnership between the two boards and other screening authorities. Appendix H of the draft SEIA guidelines ('SEIA and Preliminary Screenings') is of particular relevance.
- The MVEIRB should be engaged with government, particularly DIAND, in discussions regarding the draft SEIA guidelines.
- Developers are faced with a challenge with respect to SEIA particularly for smaller projects. What level of effort and detail is needed?

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<sup>1</sup> Jane McMullen, ENR/GNWT agreed to follow-up and distribute these points to the MVEIRB for consideration.

- The MVEIRB should consider how to encourage developers to 'do the right thing' with respect to SEIA, rather than relying on a punitive approach. This question may be beyond the scope of the SEIA guidelines, but is an issue that the Board needs to consider.
- Yukon is preparing socio-economic impact assessment guidelines under YESAA; MVEIRB should consult with them.
- The Northern Strategy may present an opportunity for some of the identified socio-economic challenges or data gaps to be addressed.
- Consultants and developers 'from the south' may not have a good understanding of the Mackenzie Valley context.
- How will the SEIA guidelines benefit Dene and the general public? That message needs to be made clear.
- An implementation plan for the SEIA guidelines needs to be developed, e.g., training, timelines etc.

## 5.0 CONCLUSIONS AND NEXT STEPS

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**As promised at the focus groups, this report summarizing the discussion at the focus groups has been distributed to all participants for comment. Participants are encouraged to provide written comments on this report or the Discussion Paper to the Board staff, particularly if specific comments were not addressed at the focus groups or are not included in this report. All comments will be considered in the development of Draft SEIA Guidelines, to be released in the next couple of months for wider public review.**

Community visits and ongoing discussions with other boards, government departments, communities, aboriginal groups, and other interested parties will continue into the fall. Seven to ten community visits will occur this summer and fall, with socio-economic impact assessment the key topics for discussion.

Once a revised draft document has been prepared, it will be subject to an 4-6 week public review period. There may be other opportunities for comment, e.g., a workshop on the SEIA Guidelines will be held as part of the 2006 EA Practitioner's Workshop hosted by the Review Board in Yellowknife. The focus of the EA Practitioner's Workshop this year will be incorporating social, economic and cultural impact assessment into Mackenzie Valley EIA.

The Review Board will release the SEIA Guidelines when it is confident that they cover the right material in the most effective way to

- Meet the needs of all parties to EIA in the Mackenzie Valley; and
- Raise the bar for the incorporation of social, economic and cultural considerations in Mackenzie Valley EIA.

## APPENDIX A: FOCUS GROUP AGENDA –JUNE 28 & 29, 2005



**Mackenzie Valley** Environmental Impact Review Board

### Focus Group on MVEIRB's Draft Socio-Economic Impact Assessment Guidelines

**Tuesday June 28 and 29, 2005**  
**MVEIRB Boardroom, 200 Scotia Centre, (5102-50th Avenue)**  
**Yellowknife, NT**

### *Agenda*

Agenda Item	Timing
<b>1. Welcome</b> <ul style="list-style-type: none"><li>• Introductions</li><li>• Purpose of Focus Group</li><li>• Agenda Review</li></ul>	<b>9:00 – 9:10</b> <b>and</b> <b>1:00-1:10</b>
<b>2. Overview of Guideline Development Process</b>	<b>9:10 – 9:20</b> <b>And</b> <b>1:10-1:20</b>
<b>3. Overview of Draft SEIA Guideline Document</b>	<b>9:20 – 9:30</b> <b>And</b> <b>1:20-1:30</b>
<b>4. Participant Feedback on Draft SEIA Guidelines</b> <ul style="list-style-type: none"><li>• Facilitators will guide participants through a discussion of the following questions:<ol style="list-style-type: none"><li>1. <b>FORMAT:</b> Do you have suggestions on the format that should be used to make the guidelines most effective and user-friendly (e.g., process-oriented? 'tool box'? text book?)?</li><li>2. <b>STRUCTURE:</b> What are your overall comments on the general organization / flow of the draft guideline document?</li><li>3. <b>LEVEL OF DETAIL AND CLARITY:</b> Does the draft guideline provide an appropriate level of detail and clear guidance?</li><li>4. <b>MEETING AUDIENCE NEEDS:</b> Do the draft guidelines meet the needs of the intended audiences? If not, what elements are missing and how should they be addressed?</li><li>5. <b>SPECIFIC COMMENTS – CONTENT</b> (on a section-by-section basis):<ol style="list-style-type: none"><li>a) Does the content of the draft document provide useful guidance</li></ol></li></ol></li></ul>	<b>9:30 – 11:45</b> <b>And</b> <b>1:30 – 3:45</b>

Agenda Item	Timing
to users? b) Do you have any suggestions for improvement?  6. <b>OTHER COMMENTS:</b> Do you have other comments on the draft guideline document?	
<b>5. Summary / 'Next Steps'</b> <ul style="list-style-type: none"><li>• Brief summary of key findings by facilitators</li><li>• Overview of 'next steps' from the MVEIRB</li></ul>	<b>11:45 – noon And 3:45 – 4pm</b>



## APPENDIX B: FOCUS GROUP PARTICIPANTS

Organization	Name	Position	Fax/Phone and Email
<b>June 28, 2005, 9:00 a.m. – 12:00 noon</b>			
MVLWB	Margot Trembath		Email: <a href="mailto:mtrembath@mvlwb.com">mtrembath@mvlwb.com</a> Ph: 766-7464
MVLWB	Peter Lennie-Misgeld		
ENR/GNWT	Paul Cobban		<a href="mailto:Paul_cobban@gov.nt.ca">Paul_cobban@gov.nt.ca</a> Ph: 920-6106
Private developer/consultant	Jack Rowe	Planner	<a href="mailto:jrowe@ssimicro.com">jrowe@ssimicro.com</a>
DIAND - Minerals	Malcolm Robb	Manager, Minerals	<a href="mailto:robbm@inac-ainc.gc.ca">robbm@inac-ainc.gc.ca</a> Ph: 669-2519
National Energy Board	Michael Benson	SE specialist	<a href="mailto:mbenson@neb-one.gc.ca">mbenson@neb-one.gc.ca</a>
NWT Assoc. of Communities	Gord Van Tighem	Mayor of Yellowknife	
DIAND	Bernie Hughes	Senor Policy Analyst	<a href="mailto:hughesb@inac-ainc.gc.ca">hughesb@inac-ainc.gc.ca</a>
<b>June 28, 2005, 1:00 p.m. – 4:00 p.m.</b>			
ENR/GNWT	Jane McMullen	Senior Policy Analyst	Ph: (867) 920-8069 <a href="mailto:JANE_MCMULLEN@gov.nt.ca">JANE_MCMULLEN@gov.nt.ca</a>
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Tyhee NWT Corp	Hugh Wilson		<a href="mailto:hugh@tyhee.com">hugh@tyhee.com</a>
Natural Resources Canada, Canadian Forest Service	Diana Boylen,		email: <a href="mailto:DBoyle@nrcan.gc.ca">DBoyle@nrcan.gc.ca</a> phone (780) 435-7269
De Beers	Robin Johnstone		<a href="mailto:robin.johnstone@ca.debeersgroup.com">robin.johnstone@ca.debeersgroup.com</a>
DIAND	Lorraine Seale	EAO	<a href="mailto:sealel@inac-ainc.gc.ca">sealel@inac-ainc.gc.ca</a>
AMEC	Paul Cox		<a href="mailto:Paul.cox@amec.com">Paul.cox@amec.com</a>
UBC Mining & Metallurgy	Ginger Gibson	PhD Student	873-6303 <a href="mailto:vgibson@interchange.ubc.ca">vgibson@interchange.ubc.ca</a>

Organization	Name	Position	Fax/Phone and Email
NWT and Nunavut Chamber of Mines	Mike Vaydik		<a href="mailto:mvaydik@ssimicro.com">mvaydik@ssimicro.com</a>
<b>June 29, 2005, 9:00 p.m. – 12:00 noon</b>			
HSS/GNWT	Andrew Langford	Director, Planning, Accountability and Reporting	Fx: (867) Ph: (867) 920-8946 <a href="mailto:ANDREW_LANGFORD@gov.nt.ca">ANDREW_LANGFORD@gov.nt.ca</a>
HSS/GNWT	Sheldon Hancock		<a href="mailto:Sheldon_hancock@gov.nt.ca">Sheldon_hancock@gov.nt.ca</a>
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Gartner Lee	Heidi Klein	Senior Consultant	<a href="mailto:hklein@gartnerlee.com">hklein@gartnerlee.com</a>
<b>June 29, 2005, 1:00 p.m. – 4:00 p.m.</b>			
DIAND	Rhian Christie	Policy Analyst	<a href="mailto:christier@inac-ainc.gc.ca">christier@inac-ainc.gc.ca</a>
Lutra Associates Ltd.	Lois Little	President	Fx: (867) 873-2629 Ph: (867) 873-9348 Email: <a href="mailto:loislutra@ssimicro.com">loislutra@ssimicro.com</a>
City of Yellowknife	Peter Neugebauer	Director, Economic Development	<a href="mailto:ed@yellowknife.ca">ed@yellowknife.ca</a> F: 867 920-5649
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Canadian Zinc Corp.	Dave Nickerson	Director	<a href="mailto:dn@tyhee.com">dn@tyhee.com</a>
North Slave Metis Alliance	Sheryl Grieve	Coordinator, Lands & Resources	<a href="mailto:Lands&amp;res@nsma.net">Lands&amp;res@nsma.net</a>

## APPENDIX C: KEY ISSUES FOR INCLUSION IN SEIA GUIDELINES

The following table lists the main themes and specific information required in the SEIA Guidelines, in rough distribution of where discussion of said issue would fit into the text. Feel free to comment on any omissions from this list.

THEME	SPECIFIC INFORMATION REQUIRED
Definitions	Concepts like public concern, impact on the environment, significance, direct, indirect and cumulative impacts
Legal Mandate for SEIA	under MVRMA and LCs; why MVEIRB includes SEIA
3 Levels of EIA	How SEIA fits in each; role it plays, expected level of effort
Process Issues	How does SEIA link to larger EIA?
	How do the different Guidelines work together? And what role do Terms of Reference play?
SEIA in the Mackenzie Valley	A list of common issues encountered in the Mackenzie Valley (checklist?)
Social, economic and cultural impacts	What are S, E and C impacts? How do S, E and C impacts interact? How does MVRMA treat them, vs. other legislation?
Types of Impact Assessment	Social Impact Assessment Economic Impact Assessment Health Impact Assessment
MVEIRB Values & Principles of good SEIA	What values MVEIRB uses to develop principles for conduct of SEIA
SEIA in EIA Limits	What EIA can and can't do with respect to social, economic and cultural issues
Recognition of SEIA challenges	A list of challenges to conducting good SEIA, and ways these can be overcome?
EIA as part of the planning process	The role of Socio-economic agreements and IBAs in mitigation
	Maximizing benefits vs. minimizing impacts – what is goal of SEIA?
Roles and Responsibilities	Of Review Board, developers, government, regulators, parties, aboriginal groups and communities
	How parties other than developers can submit SEIA submissions in an EIA
Informal Triggers for greater SEIA	At the PS and the EA level; size, scope, level of stated concern, social context, location characteristics
Preliminary Screenings	What are SEIA requirements at Preliminary screening level?
	Roles and responsibilities of parties at PS level
	Sample social, economic, cultural checklist for PS forms
	Minimum standards for inclusion of SEIA data in PS's and exceptions

Theme	Specific information required
SEIA in Environmt'l Assessment	An overview of how SEIA fits into environmental assessment in M. Valley
	Roles and Responsibilities of Parties to an EA in SEIA
SEIA Geographic and Temporal Scope Rationale	What communities, aboriginal groups and other potentially-impacted parties are going to be included in the assess?
	When to include local, regional, territorial, national economic analysis?
	What length of time is going to be subject of the SEIA?
Appropriate SEIA methods	For projects of different sizes, scope
	Given the nature and desire of constituents of specific communities
	Ethical Issues associated with social, cultural and economic data collection
Community Involvement	-Early Community consultation (how to) -ongoing community consultation ("")
	A worksheet for community involvement, with checklist questions
	What happens if communities can't, or won't, get involved?
Consultation	What constitutes consultation for the Review Board, government, developers?
Traditional Knowledge	How to incorporate into SEIA
Cumulative Socio-ec Impact Assessment	What are Review Board's Cumulative SEIA Expectations?
	How can this be accomplished?
Data Sources	Weighting of different types of evidence and differentially sourced data
	Use of primary vs. secondary data (when to use; how weighted)
	Minimum standards for what constitutes acceptable baseline and trend data
	Mackenzie Valley Data Sources
	Make clear that statistics are not impact assessment; they merely facilitate it
Terms of Reference	What are SEIA expectations in a Terms of Reference?
	What tools can developers use to assist in fulfilling requirements in ToR?
	Are there minimum standards of what data, how much, and in what form SEIA data will be required in ToR?
Developer's Assessment Report	How they are assessed by Review Board and other Parties to the EA
Criteria and Indicators	What is difference between Valued Components, criteria and indicators?

Theme	Specific information required
	Setting a minimum standard of what criteria and indicators should be used for baseline and impact prediction?
	How to access indicator data
Baseline Conditions	How much is enough? What to include?
Impact Prediction methods	List all assumptions in assessment of scenarios
	List rationale for specific SEIA elements <b>not</b> examined
	Assessing the linkage between the phenomena and the development
	Assessing the distribution of impacts and benefits
Significance Prediction	How to interpret EIA Guidelines' Significance Testing into SEIA; how is significance for SEIA determined
	Significance prediction by the Developer and other parties
Other means of contributing SEIA in an EA	Technical reports, technical and public hearings, IRs, comments on draft ToR
Review Board Decision Making	What does the Review Board base its SEIA decision on (include table of considerations?)
	Significance determination by the Review Board and Report of Environmental Assessment
Follow up and monitoring	This is outside the EIA process, except in reference to EIR, which can require follow-up program

