

# **Mackenzie Valley Environmental Impact Review Board Annual Report 1999-2000**

The *Mackenzie Valley Resource Management Act* came into force on Dec. 22, 1998 and established the Mackenzie Valley Environmental Impact Review Board (MVEIRB) as the main agency to undertake environmental assessment and review in the Mackenzie Valley.

The Board's jurisdiction applies to all lands in the Northwest Territories, excluding the Inuvialuit Settlement Region and Wood Buffalo National Park. The MVRMA replaces the *Canadian Environmental Assessment Act* (CEAA) in the Mackenzie Valley except under very specific circumstances.

This Annual Report covers the first complete year as an operational Board.

## **Membership**

The Review Board underwent several changes in membership over the past year.

As of March 31, 2000, the members of the Review Board were Gordon Lennie, chair; Dennis Bevington, Fort Smith; Frank Pope, Norman Wells; Bertha Rabesca, Rae-Edzo; Charlie Snowshoe, Fort McPherson; and, Gordon Wray, Yellowknife. There is still one nomination outstanding from the Sahtu Secretariat Inc. to bring the Review Board up to the minimum of seven in the legislation.

Board member Len Colosimo stepped down in September of 1999 and was replaced by Mr. Pope who was appointed by the Minister of DIAND on March 30, 2000. Cindy Kenny-Gilday stepped down in November 1999 and was replaced by Mr. Wray in December. Barney Masuzumi stepped down in March 2000 and the replacement has yet to be named.

## **Staffing and Location**

The Board's offices are located on the 2<sup>nd</sup> floor of the Scotia Centre. Staff consist of an Executive Director, two Environmental Assessment Officers, a Finance and Administration Officer and a Communications Officer.

## **Activities 1999 - 2000**

### **Transition Projects**

Transition developments, those projects in the transition between CEAA and the MVRMA, occupied much of the Board's attention during the first few months of board operation. Section 159 of the MVRMA required that the regulator consult with the MVEIRB before completing the CEAA screening. The Board reviewed and commented on 22 transition projects, the largest of which was the Diavik diamond mines comprehensive study. The Board prepared its comments on the Diavik Comprehensive Study and submitted this to the federal Minister of the Environment and to the regulatory bodies in October 1999.

## **Preliminary Screenings and Environmental Assessments**

In the period from April 1, 1999 to March 31, 2000, the Board received 161 notifications of preliminary screenings. Three preliminary screenings were referred to environmental assessments. These were the Bruce Domes lumber harvest development near Enterprise; the Ranger Oil, Chevron Canada and Canadian Forest Oil natural gas pipeline near Fort Liard; and, the BHP Diamonds expansion at the Ekati mine site. The BHP environmental assessment will be completed in 2000.

The Review Board's staff attended several BHP presentations and met with several community and first nation representatives. To date we have met with:

- Kugluktuk public meeting, August 3 & 4
- Fort Resolution Environment Working Committee on September 17.
- Dettah Land and Environment Committee, September 29.
- Lutsel K'e Wildlife Land and Environment Committee on September 30.
- North Slave Metis Alliance on October 5.
- Lutsel K'e Public Meeting on October 5.
- Dettah Public Meeting on October 6.
- Rae-Edzo Dogrib Treaty 11 Tribal Council meeting and public meeting on October 7.
- Lutsel K'e public meeting on October 12.
- Dogrib Treaty 11 Tribal Council representatives on October 13.
- Yellowknives Dene Land and Environment Committee on October 19.
- Yellowknife public consultation meeting on October 25.
- Gameti First Nation Band Council on November 2.
- Yellowknives Dene First Nation public meeting on November 3.
- Dechi Laot'i First Nations on November 15, 16 and 17.
- Wha Ti First Nation on December 7 and 8.
- NWT Status of Women on December 10.

## **Interim Environmental Assessment Guidelines**

The Board released "Environmental Impact Assessment in the Mackenzie Valley- Interim Guidelines" in February 1999. A mass mailing to northern bands, communities, government and industry was distributed in August 1999. Review Board staff have been

working on revisions to these interim guidelines with new material added to help clarify specific issues. This will be released in 2000.

## **Board Activities**

Board members participated in seven board meetings and 26 teleconferences during the fiscal year. The meetings were held to discuss the full schedule of environmental assessments and transition projects which the Review Board had to deal with in the first full year of operation. Board meetings were held in Fort Rae, N'dilo, Fort Liard and Fort Simpson. The latter two were conducted in conjunction with the Review Board's holding of community meetings on the Chevron, Ranger and Canadian Forest environmental assessment. The Review Board held the Fort Liard and Fort Simpson meetings to gather community input into its terms of reference on the Ranger et al environmental assessment.

The Review Board held several site visits to gain a better understanding of ongoing development activity. In July they toured the Diavik site and BHP's Ekati mine site. Later in the month they also visited Chevron Canada Resources facilities near Fort Liard. In August, they visited Paramount's gas processing facilities in northern B.C. and the site of the company's proposed development near Fort Liard. Members also visited the site of the Bruce Domes lumber harvest site near Enterprise in conjunction with the environmental assessment of that project.

The Board members participated in several board orientation sessions designed to develop a better understanding of the environmental impact assessment process and board governance. In addition, Board members undertook several specific site visits to observe various developments.

Board members attended at and gave presentations to the Canadian Association of Petroleum Producers and the Canadian Institute of Resource Law (CIRL) in Calgary.

## **Public Information**

Review Board members had the opportunity to host public information sessions, attend meetings to disseminate information, and to build liaisons with other organizations.

The Review Board responded to the following invitations to provide information sessions:

### **April**

Presentations in Sahtu communities as part of the Cumulative Impact Monitoring program workshops, Deline, Tulita, Fort Good Hope and Norman Wells.

Presentation to the Band Council meeting, Tulita .

**June**

Presentation to the Dene Cultural Institute, Hay River.

**July**

Dene Nation Annual General Assembly, Jean Marie River.

Town of Hay River, council session

**Aug.**

Technical briefing workshop to northern media

**Oct.**

Integrated Resource Management workshops sponsored by DIAND, Fort Smith, Fort Providence and Rae-Edzo.

**Nov.**

Presentation at the Dene Nation leadership meeting, Yellowknife.

Presentation at the GeoScience Forum, Yellowknife

**Dec.**

Information sessions, Wekweti,

**Jan.**

Information sessions, Wha Ti

Cordillera mining conference, Vancouver

**Feb.**

DIAND-sponsored Part IV implementation sessions, Yellowknife,

**Mar.**

DIAND-sponsored Part IV implementation sessions, Rae-Edzo, Wha Ti

Cumulative Environmental Monitoring Framework, Hay River.

Staff met with the National Energy Board on several occasions to discuss coordination issues on preliminary screening and environmental assessments.

The Review Board has a seat on the Cumulative Environmental Assessment Monitoring Framework, which comprises various government departments and aboriginal organizations. This group has been developing the framework for defining cumulative assessment in the Northwest Territories

## **The Next 12 Months**

The Board will be conducting environmental assessments as projects are referred to it by the preliminary screeners. Since the referral decisions are made by other agencies, it is difficult to predict how many environmental assessments may come before the Review Board over the next 12 months. There is the possibility that the Winspear diamond development may be referred to an environmental assessment in the coming fiscal year.

Meetings and discussions continue between various exploration and pipeline companies and staff on the anticipated Mackenzie Valley natural gas pipeline.

Review Board staff have been discussing cooperation agreements with other regulatory agencies and boards which operate adjacent to the Mackenzie Valley. These memorandum of understandings set out how the respective agencies will cooperate with each other in dealing with transboundary environmental assessments. The Review Board has met with the National Energy Board several times over the past year on this issue and will continue working towards a memorandum of agreement.

A draft Rules of Procedure for Environmental Assessment and Environmental Impact Review Proceedings is being developed. This will be put out for public comment in the next fiscal year and adopted by the Review Board following the public comment period

The financial and operational review which the Review Board is participating in with DIAND will be completed in the new fiscal year.

The Review Board will be completing its environmental assessment of the BHP Ekati mine site expansion in 2000.