Mackenzie Valley Review Board

Workshop on Concept and Content of Environmental Assessment Initiation Guidelines

Workshop Summary Report

Prepared by:

DILLON CONSULTING

Mackenzie Valley Review Board

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Acronyms and Abbreviations

– BMP – Better Management Practices

– DAR – Developer's Assessment Report

– EA – Environmental Assessment

– IR – Information Request

– MOU – Memorandum of Understanding

– MVEIRB – Mackenzie Valley Environmental Impact Review Board

– MVRMA – Mackenzie Valley Resource Management Act

– The Review Board – Mackenzie Valley Environmental Impact Review Board

– The draft Guidelines – Draft Environmental Assessment Initiation Guidelines

– TOR – Terms of Reference

– TK – Traditional Knowledge

1.0 Introduction and Summary

The Mackenzie Valley Environmental Impact Review Board (MVEIRB, Review Board, or Board) held a one-day workshop on June 20, 2018 at the Tree of Peace in Yellowknife, Northwest Territories. The purpose of the workshop was to engage stakeholders (aboriginal[1] organizations, industry, government and others) on the concept of environmental assessment initiation guidelines. As presented to parties in a concept paper distributed on May 7, 2018, these guidelines would set clear expectations for the type of information and level of detail typically required from developers to begin an environmental assessment (EA). These information requirements would support efficiency and effectiveness during EA scoping, and throughout the entire EA process.

The workshop objectives were to:

- **Present and discuss** the concept, content, and expected benefits of EA initiation guidelines;
- **Identify** matters of importance to parties related to EA initiation guidelines; and
- **Seek preliminary input** from parties for consideration by the Review Board in developing draft EA Initiation Guidelines (draft Guidelines).

The workshop included presentations from Review Board staff, four facilitated breakout group discussions, and plenary discussions. To promote dialogue throughout the workshop, participants were encouraged to use a variety of different feedback options such as asking questions, using sticky notes during brainstorming activities, open discussion, and submitting feedback in writing or by email following the workshop. The Review Board received a wide variety of feedback from parties on the EA initiation guidelines concept, and draft Guidelines content, throughout the workshop. Topics of discussion included format of the draft Guidelines, function and application of draft Guidelines in EA processes, the timing and details of information requirements, and more. For full summaries of workshop feedback refer to Section 1.3 and Section 2.0.

The workshop agenda is in Appendix A, and a list of workshop participants in Appendix B.

[1] Aboriginal is used in place of indigenous in this Report except when indigenous appears in the title of a document, in an excerpt from another document, or a direct quote.

1.1 Introductory Presentation:

Brett Wheler and Davin St. Pierre, Environmental Assessment Policy Advisors, MVEIRB

After an opening prayer by Patrick Simon, Brett and Davin opened the workshop with a short presentation that explained the purpose and mandate of the Mackenzie Valley Environmental Impact Review Board. The Review Board is a court-like tribunal, responsible for conducting EAs and environmental impact reviews (EIR) in the Mackenzie Valley. Under its authority through the *Mackenzie Valley Resource Management Act* (MVRMA), the Review Board has the ability to create guidelines and rules to bring clarity to the overall EA process. The Review Board is working on several new and future initiatives including the draft EA Initiation Guidelines. The workshop focussed on discussing and receiving feedback on the draft Guidelines concept and ideas for draft content.

1.2 Part I: Concept – Environmental Assessment Initiation Guidelines

Brett Wheler and Davin St. Pierre, Environmental Assessment Policy Advisors, MVEIRB

Prior to the workshop, Review Board staff developed and distributed a concept paper on the Review Board's EA initiation guidelines initiative that presented how EA initiation guidelines could help clarify and improve the EA process. The concept paper is available on the MVEIRB's website and provides more detail on the purpose and expected content of the proposed guidelines.[2]

Proposed projects are referred to the Review Board for EA either through a preliminary screening or direct referral. Proposed projects that are referred through these processes can include very different information based on a variety of factors such as:

- The type of authorizations applied for (and the associated information requirements for those authorizations); and
- A developer's experience with EA and the consideration of potential impacts on the human as well as biophysical environment.

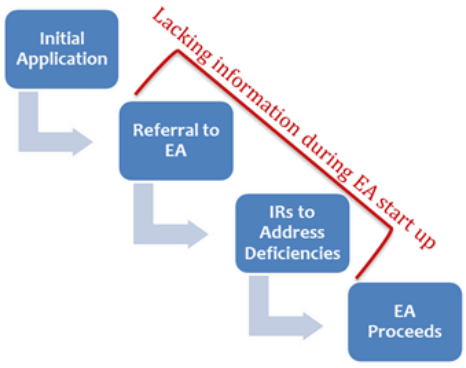


Figure 1: EA Start-up Process

For example, project applications submitted for land and water authorizations are typically developed to meet specific requirements focussed on land and water. As such, they often do not contain the depth or

[2] Available at www.reviewboard.ca.

scale of information needed for EA, which needs to consider a broader view of the environment that includes socio-economics, culture, wildlife, and other elements. Additionally, the format in which project information is received is not always useful for EA. For projects directly referred to EA, without undergoing a preliminary screening, there is currently no standard guidance for information requirements. **Figure 1** shows where information can be lacking during an EA start-up.[3]

Clear and sufficient project information is required to support the scoping phase of EA, which is where the subjects to investigate in an assessment are prioritized and the EA is focussed on issues that matter most. If scoping is ineffective, it could result in:

- Revisiting the scope of assessment later in the EA;
- A less-focused developer's assessment report (DAR);
- Process delays; and
- A less effective and efficient EA for all parties.

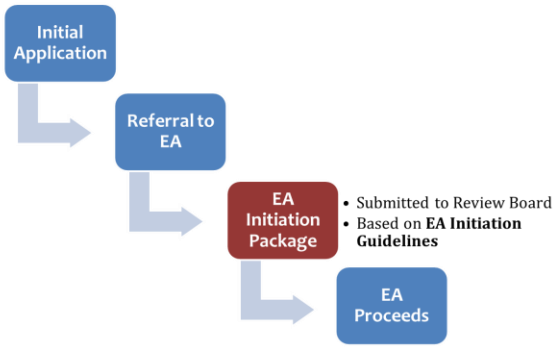


Figure 2: EA Process with EA Initiation Guidelines

The Review Board is proposing to develop guidelines that will standardize information requirements at the start of an EA. Collectively, this information is referred to as an EA Initiation Package (further described in Section 1.4). In prescribing these information requirements up front, the draft Guidelines would provide clarity to developers and parties to help EAs get off to a smooth start. **Figure 2** shows how the EA Initiation Guidelines would support the EA start-up.[4] EA Initiation Packages can also be prepared in advance of referral to EA to proactively prepare for the EA process.

Having this information consistently available for public review at the beginning of an EA will contribute to several positive outcomes during the EA process:

- Parties will be better able to make informed and timely decisions about their desired level of participation in the EA process, and plan accordingly;
- The status of conformity with other processes, such as land use plans, will be clearer during early stages of assessment;
- The EA scoping phase, which results in a terms of reference that prioritizes issues to investigate and sets out instructions for the DAR, will be more effective;
- The DAR and subsequent information requests can focus on the assessment of impacts and mitigations and, if applicable, the investigation of alternatives specified in a terms of reference;

[3] Draft EA Initiation Guidelines Workshop Presentation, June 20, 2018

[4] Draft EA Initiation Guidelines Workshop Presentation, June 20, 2018

- The Review Board and parties in the EA process can focus their efforts on issues related to significant adverse impacts, and mitigation measures that may be needed to avoid such impacts; and
- Potential delays resulting from information requests related to a lack of understanding of the project itself can be minimized.

1.3 Group Discussion

Following the presentation, a plenary session allowed participants to ask questions about the concept of the proposed draft Guidelines. Below is a summary of the main questions from participants and responses by Review Board staff.

Question: If the draft Guidelines are finalized, will there be any changes to the IR phases?

Review Board staff clarified that there are two types of IRs. The first type of IRs are deficiency statements based on lacking project information. If information is missing it can result in process delays and lack of clarity on the proposed project. If the Review Board and parties have better information up front, there should be less need to request additional information before beginning the scoping phase. EA initiation guidelines would help ensure good information is available up front.

The main IR phase in the EA process occurs after the DAR. Individuals or groups use these IRs to help understand and clarify the developer's impact predictions. The Review Board is not proposing changes to these IRs, but hopefully, having better up-front information in an EA initiation package can reduce the number of project-related IRs and help focus discussion on the impact predictions.

Question: How are these draft Guidelines going to be scalable to different types of projects?

The draft Guidelines would be geared toward major projects, such as new mines, oil and gas infrastructure, and other major infrastructure development – projects that typically undergo a full EA in the Mackenzie Valley and elsewhere in Canada. The idea is to provide guidance for developers of major projects to help them prepare the information needed to begin an EA, not to force developers to submit irrelevant information or excessive detail. The purpose of the draft Guidelines is to have information available at the start-up phase of an EA so that we can identify how the project will interact with the environment and focus the EA on the issues that matter most and where the potential impacts are not well understood.

Question: Is there value for developers to provide information up front? Sometimes we (developers) do not completely understand the project at the early stages.

Good information at the beginning of an EA is very important for the entire EA process. A certain amount of information is needed to set the scope of assessment, identify priority issues to investigate, give instructions for the DAR, and ultimately make legal determinations about the significance of impacts and project approval. In previous experiences when the Board was provided with thorough information at the beginning of the EA process, there tended to be fewer delays and interruptions

throughout the EA. EA still involves examining and refining project planning, design, and alternatives. Good initial information will help focus the EA discussions on project adjustments that are feasible and beneficial in terms of reducing impacts. The first step for these draft Guidelines is providing clarity on the information needed for EA scoping. Efficiencies with information required for preliminary screenings could be discussed in the future.

Comment: Many IRs have become re-occurring themes - 'how can water be mitigated, or how can consultation be carried out?'. How does the Board intend to address these re-occurring IRs using deficiency statements? An example of this is the research on caribou at Ekati which investigated the impacts of building a winter road across the tundra. If you can inform based on 'how questions', it may provide answers to scalability and minimize the earlier IRs.

Review Board staff responded that using 'how questions' is an approach they are willing to explore. In some cases, in the past, the Review Board has asked questions without providing much rationale, but it is more efficient and useful when everyone understands why the question is being asked.

Question: There may be some concerns that draft Guidelines will become rules. How will you ensure you are able to adequately describe what is necessary for projects?

Review Board staff acknowledged that they have heard the concern that the draft Guidelines may eventually be used as strict requirements. The bottom line is that the Review Board has always required information to begin an EA and to inform EA scoping; however, until now there has been little up-front guidance to help developers prepare the necessary information.

Question: Will a standardized approach be scalable for projects located near urban centres and projects in the wilderness?

Review Board staff made reference to the IR diagrams in the presentation (see workshop presentation) that outline the information required for an EA. They mentioned that the draft Guidelines are designed to support more scalability and context at the **early** stages of the process before setting the terms of reference for an EA, for example: understand the project and the issues early, so the rest of the EA can be tailored. The draft Guidelines would provide guidance on the standard types of information that are needed to begin most EAs, but there will always be a need to consider the unique circumstances of each project and project area as well. The Review Board would also like to consider using guiding questions to help developers determine the relevant information based on their specific project.

Comment: There is a trend of the Review Board setting more measures with more detail required in the permitting process. There needs to be boundaries established around the measures put in place. If the Review Board starts to make measures beyond their mandate, does the line between EAs and permitting begin to disappear?

The overall intent is not to minimize conditions; the conditions will ultimately be reflective of the project and its potential impacts on the environment, including biophysical and human environments. Thinking about EA initiation requirements, the most important thing is to get the right amount of information based on how a project will interact with the environment so that impacts can be assessed, and mitigation measures applied to protect the environment and people's wellbeing.

Regarding **Figure 3**[5], a participant commented on the risk that requiring more information at the start of the EA might not focus the EA process outlined in the pyramid diagram, in which case it could just be a burden at the start of the EA without a benefit later.

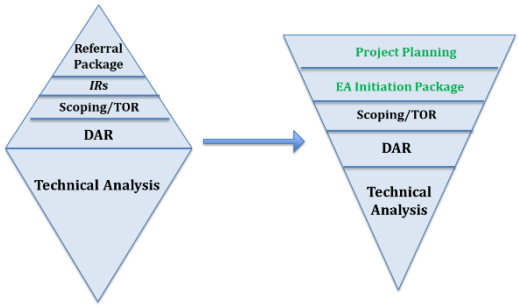


Figure 3: EA steps and content focus, before and after applying the concept of EA Initiation Guidelines. The concept would shift some information from the DAR phase to the beginning of the EA, to support efficient and effective scoping.

Review Board staff noted that a developer of a major project would have the option of using the draft Guidelines to help prepare their initial applications, which may be useful for preliminary screening and the identification of potential significant environmental impacts. It is up to the developer how much additional information they may want to include in their initial applications, but providing thorough information at the start can help screening, EA initiation, and scoping be more efficient.

Question: What have you learned about other jurisdictions about this proposal?

The Review Board has worked with review boards in the Yukon and Nunavut, as well as the Canadian Environmental Assessment Agency. A large part of developing the concept of EA Initiation Guidelines was looking at consistency across jurisdictions, focused on EAs of large projects. A key difference between the Mackenzie Valley and other territories is that the MVEIRB does not directly receive applications or conduct preliminary screenings. In Nunavut, for example, the Nunavut Impact Review Board (NIRB) conducts preliminary screening and builds on it to initiate their assessment process.

One of the reasons the MVEIRB started to think about the concept of EA initiation guidelines is because the Review Board is not the first body to receive project information packages. Once the project is referred to an EA there is often additional information that is needed to inform EA scoping.

[5] Draft EA Initiation Guidelines Workshop Presentation, June 20, 2018

1.4 Part II: Content – Draft Environmental Assessment Initiation Guidelines

Davin St. Pierre, Environmental Assessment Policy Advisor, MVEIRB

Davin presented an overview of the high-level content themes for the draft Guidelines before dividing workshop participants into breakout groups for further discussion. The proposed EA Initiation Package that would be required from developers was based on:

- The Review Board's past experiences;
- Existing guidance from the Review Board and parties;
- Co-management workshops; and
- Best practices in other jurisdictions.

Four types of content for the EA Initiation Package were discussed:

- Project description;
    - Including management plans
- Description of existing environments;
    - Biophysical and human environments
- Identification of potential impacts and associated mitigation measures; and
- Engagement record and engagement plan

These components were described in more detail during the introduction of each breakout group.

2.0 Breakout Sessions

Participants were organized into four rotating groups to provide feedback for each of the four types of content proposed EA Initiation Package. A summary poster was prepared for each section of the EA Initiation Package to support the facilitation of the break-out groups. Copies of the posters are found in Appendix C. Before participants started the exercise, they were asked to consider some key questions for the breakouts. The questions are summarized in **Figure 4.**

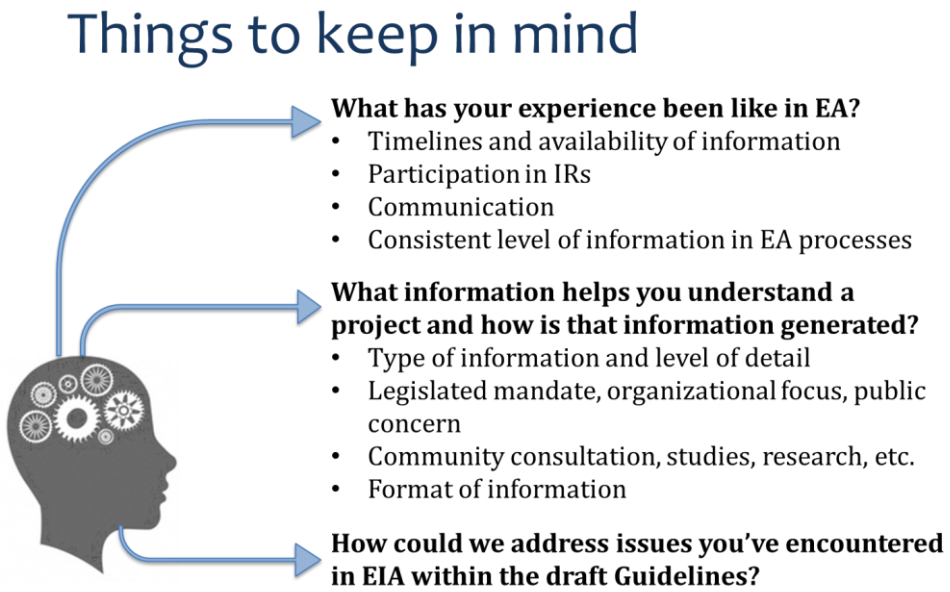


Figure 4: Questions to keep in mind during breakout groups

2.1 Break-out Group: Project Description

Introduction

The purpose of the Project Description component is to clearly describe a development proposal. This information includes general project information in the format of an overview, such as:

- The purpose of the project;
- Project timelines;
- Project history and any project authorizations;
- Description of the developer, including corporate history; and
- Environmental performance records and financial viability to undertake the costs of EA.

The Project Description would also consist of detailed information on project components, alternatives, and plans which includes: a description of all physical characteristics and activities; the consideration of alternatives; and all associated monitoring and management programs and plans (typically in conceptual or early draft form at the beginning of an EA).

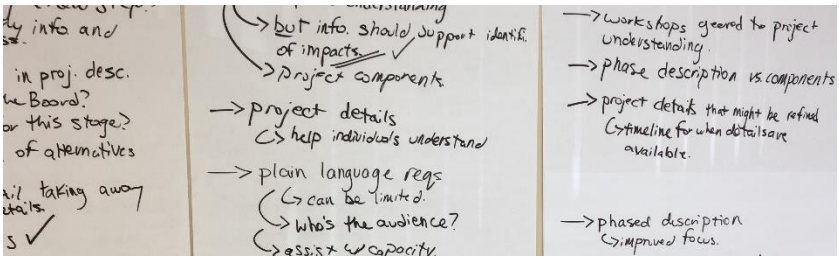
This general and detailed information would also be summarized in a stand-alone plain language summary with maps, as a concise description accessible to community members and the general public.

Feedback

Feedback received from the breakout groups was organized into themes and is summarized below.

Themes	Feedback
General Feedback	• Develop content to guide how socio-economic information should be provided and how scalability can be interpreted in the draft Guidelines • Flexibility for the draft Guidelines to allow for project changes throughout the entire EA process
Plain Language	• Communities should be engaged to discuss what information is useful for them to understand a project in plain language • Should cater to the intended audience • EA packages should be written in plain language with technical materials in the appendices
Format of Project Description	• Project information should be provided in a format that helps all individuals understand • Workshops should be held specifically to inform individuals on the project description • New types of mediums (e.g. drone footage, 3D modeling, images etc.) should be considered to describe parts of various projects
Project Description Content	• Information requirements should support the identification of impacts • Use a phased description of a project • Alternatives are challenging to explore and should be considered throughout the evolution of a project • The draft Guidelines should harmonize content with other processes (e.g. WMMP requirements and screening questionnaire)
EA Process	• The draft Guidelines may create additional steps in the EA process and/or replication of the existing requirements for

Themes	Feedback
	screening



2.2 Break-out Group: Description of Biophysical and Human Environment

Introduction

The purpose of the Description and Biophysical and Human Environment component is to obtain information on environmental conditions in the project area to set the context for the consideration of potential impacts. Knowledge of the project combined with knowledge of the biophysical (land, water, air, wildlife, etc.), socioeconomic, and cultural environment allows us to consider interactions and potential impacts.

Components of the existing environment should be described using multiple sources, including relevant data from existing resources (such as public data, historic monitoring), traditional knowledge, project-specific studies (such as collection of site-specific baseline), and professional experience. In relevant cases, the developer should differentiate between current environmental conditions and historical background conditions.

Feedback

Feedback received from the breakout groups was organized into themes and is summarized below.

Themes	Feedback
General	• Why can't we just use scoping to define information requirements? • Uncertainty about how remediation projects would fit within the draft Guidelines • The distinction between 'current' and 'natural' background is not clear
Components to Include	• There is no need to include all components (each process should be tailored to the project) • Human components are equally as important as biophysical
Scalability	• The draft Guidelines should be designed with a certain level of flexibility for different types and scales of projects • All components do not need to contain 'on-the-ground' research

Themes	Feedback
	and preliminary data collection • The level of detail required for each component should only be enough to determine the interactions
Expectations	• The timeline of studies and expected baseline should be clear in the draft Guidelines • The baseline data may keep changing making it difficult to know what information is relevant and whether more information is needed (e.g. climate change) • Multiple parties means many priorities, which can make collecting baseline information difficult to satisfy everyone's needs • There should be a list of all authorizations (e.g. regulators) needed and communities to engage with
Study Area	• Developers should define socio-economic study areas • Local and regional study areas should be established and defined as part of information packages • Potential transboundary impacts should be identified at the early stages of the EA process • Projects that require cumulative impact assessments should be identified at this stage
Data Sources	• There are no centralized databanks of information that could be available to developers • Data availability should be highlighted by relevant government departments • Need to know who is responsible for data collection for the EA • TK and land use information should be combined to help determine baseline

2.3 Break-out Group: Identification of Potential Impacts and Proposed Mitigation Measures

Introduction

The purpose of the Identification of Potential Impacts and Mitigation Measures component is to provide a preliminary description of project interactions with the environment, identify potential impacts, and describe the proposed mitigation measures. These descriptions should be supported by impact models or diagrams and tables that visually summarize and describe interactions or potential impacts (**Figure 5** provides an example). This information would inform EA scoping and subsequent stages of the EA process, where these potential impacts and mitigations are investigated further.

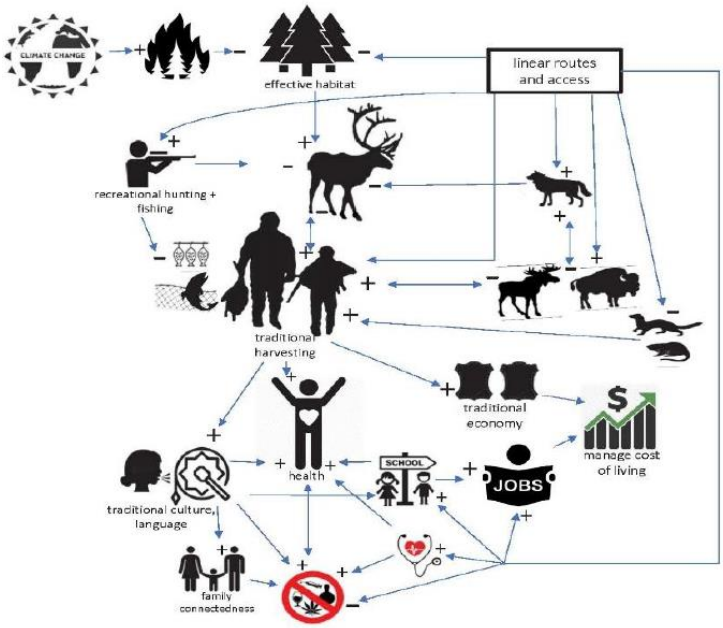


Figure 5: Conceptual flow chart showing interactions between the biophysical and human environments

Feedback

Feedback received from the breakout groups was organized into themes and is summarized below.

Themes	Feedback
Pathways and Diagrams	• Identification of pathways can be useful so people are able to think about which components are the most important, how they work, and how they relate to each other and the project • Discussions involving pathways should be carried out earlier to inform scoping • Pathways are important, but a project scalability matrix that

Themes	Feedback
Format	prioritizes the level of the assessment or information needed for different types of impacts should also be included (e.g. low or high likelihood, low or high consequence) • Documents should be written in plain language and include good maps • A series of checklists (e.g. water license) or common issues for projects could also be included
EA Initiation vs. DAR	• Frontloading information may be challenging especially if DAR will still be the main document and will be more focused • Requiring finalized project descriptions early in EA may limit innovation • Too much information early on may also be a risk if things drastically change • The developer should show awareness and understanding of issues and that they are ready to assess them, and an understanding of how known project design-type mitigations might address impacts or may need to be supplemented
Traditional Knowledge	• Identify TK needs to set requirements and expectations early in the process so that needs can be addressed, and appropriate plans can be developed • Developers would like aboriginal groups to tell them where and how to consider and incorporate TK into the project planning and the EA process • It is important to understand the limits of available TK and the capacity limits of communities
Engagement	• Pre-meetings prior to more formal engagement can be very helpful • Engagement can also help identify impacts and focus on the whole environment • It is important to focus on how questions are asked because it can affect an entire conversation • It is important to acknowledge different conversations that take place during developer engagement compared to Review Board scoping
Identification of Impacts and Mitigation	• Risks and worst-case scenarios can help inform the discussion of acceptability and significance • The lack of baseline information can be challenging if it is not required for the initial EA application • A plan for closure is important for long-term consideration of site accessibility and engagement • All impacts of climate change should somehow be carefully considered (e.g. closure, mitigation)

Themes	Feedback
Transboundary Impacts	• Engagement can take advantage of existing guidance early on in the process (e.g. RRB species management practices) • Mitigation and management becomes a very important part of the discussion in the conceptual phase (e.g. project design and BMPs vs. detailed management plan).

2.4 Break-out Group: Aboriginal and Public Engagement and Traditional Knowledge

Introduction

The purpose of the Aboriginal and Public Engagement and Traditional Knowledge component is to identify the results of early engagement activities and a plan for ongoing engagement during the EA and life of the project. The idea is to require developers to submit information that is consistent with the Mackenzie Valley Land and Water Board's guidance on engagement, and that supports implementation of subsection 114(c) of the MVRMA, and the Review Board's *Guidelines for Incorporating Traditional Knowledge in Environmental Impact Assessment.*

> 114 *The purpose of this Part is to establish a process comprising of preliminary screening, an environmental assessment and an environmental impact review in relation to proposals for developments, and…*
>
> (c) *to ensure that the concerns of aboriginal people and the general public are taken into account in that process.*
>
> **Mackenzie Valley Resource Management Act (S.C. 1998, c. 25)**

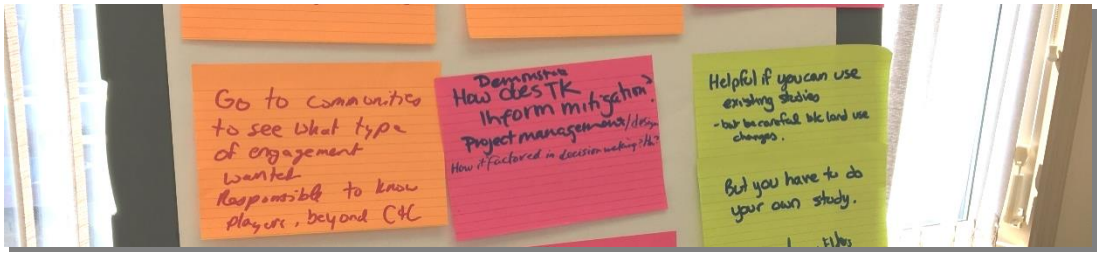
This information would document issues raised by communities during early engagement and how the developer has used engagement to inform project planning, help describe the environment, and help identify interactions and potential impacts. A Traditional Knowledge section would also be required that outlines how developers considered and included Traditional Knowledge.

Feedback

Feedback received from the breakout groups was organized into themes and is summarized below.

Themes	Feedback
Communication	• TK should be gathered early in the development process to inform project feasibility • Boards must remind developers about the proper handling of TK to ensure proper use and respect for intellectual property rights

Themes	Feedback
Proper Engagement	• Communities want more detail to identify the differences, concerns, and effectiveness of engagement • Engagement logs can be used to identify how concerns were properly addressed • Providing compensation for Elders and TK holders for their time and important contributions • Developers should ask regional aboriginal organizations or communities what appropriate engagement methods to use in each community
Developer Responsibilities	• Developers should be required to demonstrate if and how their own community engagement led to overall improved project design and impact mitigation and management. This could include how they followed LWB engagement guidelines • Individual engagement efforts should be designed for engagement with youth, women, and elders • Developers should provide boards with all presentation material used for community engagement to demonstrate cultural appropriateness and accurate information
Joint Projects	• Joint TK projects between developers and TK holders works well • Developers can partner with communities and offer technologies (e.g. Lidar Data) to help communities locate their own physical heritage



2.5 Open Group Discussion

After the breakout group discussions, the participants regrouped into a larger plenary to discuss questions and/or comments that may have arisen from the presentations or smaller group discussions.

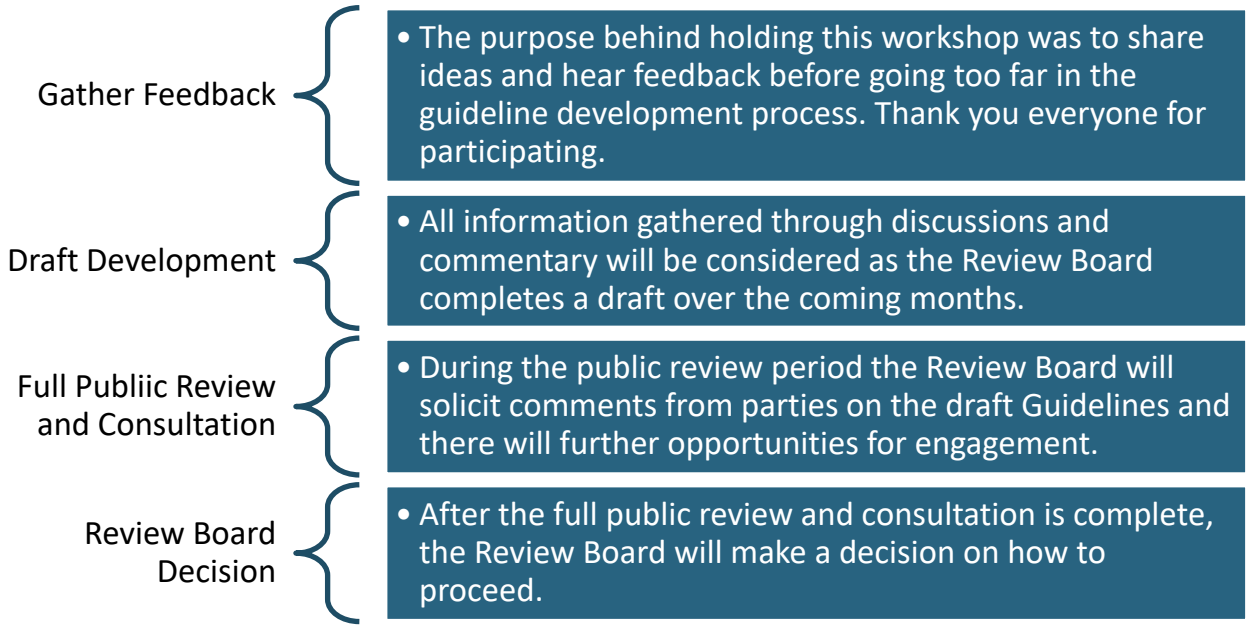
Theme	Respondent	Question/Comment
Format	Participant	Somewhere in the discussion we need to talk about when a project changes significantly, whether or not there will be a pause?
	Review Board responding to participant	The concept of these draft Guidelines focusses on getting good project description information at the beginning of an EA. This should include feasible alternatives for project design. If a project changes beyond what was considered at the beginning of the EA and reflected in the terms of reference, the Board would need to evaluate whether the assessment covers the project changes and what additional information may be needed.
Access to Information	Participant	It would be very helpful to have a list of all the required permits and licences upfront for the developer. The Government should be responsible for creating and providing this information.
	Review Board responding to participant	This information is helpful to the Board when considering the need for measures and what will be in place in terms of life of project oversight.
Jurisdiction	Participant	We did not touch on trans-jurisdictional issues today. It is important to note what lands could be Federal lands and how this may play into the process.
	Review Board responding to participant	Yes (also see response above), and also including aboriginal governments. This could fit into the regulatory category under the project description information (that is: what type of land would the proposed project occur on).
Format	Participant	In previous TORs there was a clause included for the Board to consider “anything else that may lead to environmental significance”. This makes it very difficult to scope the EA. Through the draft Guidelines, can we see the end of this clause?

Theme	Respondent	Question/Comment
	Review Board responding to participant	The instructions for the DAR lay out the minimum amount of information the Review Board needs from the developer to move into the technical analysis phase of the EA (information requests, technical sessions, etc.). This is not the upper ceiling of what the Review Board can consider about the impacts of a project during the whole EA.
	Participant follow-up	What is the ceiling?
	Review Board follow-up	Part 5 of the MVRMA describes the Review Board's mandate and jurisdiction. One of the key principles is the protection of the environment from significant adverse impacts of proposed developments. The scope of assessment reflects this principle and includes the impacts of the project on the environment; the scope is not necessarily limited to the areas of focus identified in the instructions for the DAR. It is very rare for the Review Board to take the EA discussions beyond those areas of focus, but the Board has the authority and reserves the right to do so, if warranted, to assess the impacts of proposed projects.
	Participant follow-up	Does this mean that we have an unelected board without a limit on its authority?
	Review Board follow-up	The Review Board's authority and the co-management system in the Mackenzie Valley come from the modern land claim agreements negotiated between Aboriginal groups and the duly elected federal and territorial governments. The MVRMA clearly sets out the Review Board's authority and jurisdiction, including its authority to establish rules, guidelines, and carry out the EA process as it sees fit, consistent with the MVRMA and the principles of procedural fairness. In enacting the MVRMA, Parliament delegated these authorities to the Review Board. Ultimately, Review Board decisions result in a recommendation to final decision makers (responsible government ministers and, where applicable, the Tłı̨chǫ Government).
Timelines	Participant	When is the draft expected to be completed, and what are the next steps?
	Review Board follow-up	The next step is to take the feedback received today and other preliminary feedback and complete a full draft. The Review Board will work toward completing a draft in the

Theme	Respondent	Question/Comment
		coming months. We have already done some background research and we wanted to provide an opportunity for preliminary feedback we can consider when preparing the draft Guidelines. During the public review phase for the draft Guidelines, Review Board staff will be available again to engage parties and individuals who are interested in meeting with us.

3.0 Next Steps

At the end of the workshop, Review Board staff outlined the next steps in the draft Guideline development process.



The workshop ended with a closing prayer.

Appendix A

Workshop Agenda

Mackenzie Valley Review Board

Draft Environmental Assessment Initiation Guidelines Workshop

Host: Mackenzie Valley Environmental Impact Review Board
Date: June 20, 2018
Time: 8:30 a.m. – 4:00 p.m.
Location: Tree of Peace Friendship Centre, 5011 51st Street, Yellowknife, NT

Background

The Mackenzie Valley Environmental Impact Review Board (the Review Board) would like to develop draft Environmental Assessment Initiation Guidelines (draft Guidelines) to describe the information needed to begin an environmental assessment (EA). Once fully developed, these guidelines would set clear expectations for the type of information and level of detail required from developers to begin an EA. The goal of the guidelines is to facilitate a good understanding of a project proposal at the beginning of an EA to support efficiency and effectiveness during EA scoping, and throughout the entire EA process.

On May 7, 2018 the Review Board invited parties to participate in a workshop to discuss the concept and development of draft EA Initiation Guidelines in more detail. The workshop will offer an early opportunity for Board staff to present the concept of the guidelines, introduce prospective content themes, and receive preliminary feedback and input from parties.

Workshop Objectives

The objectives of the workshop are to:

- **Present and discuss** the concept, content, and expected benefits of EA initiation guidelines;
- **Identify** matters of importance to parties related to EA initiation guidelines; and
- **Seek preliminary input** from parties for consideration by the Review Board in developing draft EA Initiation Guidelines.

Workshop Format and Preparation

The workshop will include presentations by Board staff, breakout group discussions, plenary discussions, and one-on-one discussion opportunities with Board staff. In preparation for the workshop, participants are encouraged to review the Environmental Assessment Initiation Guidelines **Concept Paper** (distributed May 7, 018) and identify initial questions and comments that can be discussed during the workshop. The Review Board will also be accepting written

comments from parties during and after the workshop, and will have a public review period and opportunities for meetings after a draft version of the Guidelines is completed.

Agenda

The Review Board will be providing coffee and snacks throughout the day. Lunch is not provided. The agenda for the workshop is as follows:

Workshop Agenda	
8:30-9:00	- Registration
9:00-10:30	- Introduction to Draft Environmental Assessment Initiation Guidelines: Concept and Rationale - Group Questions
10:30 - 10:45	- Coffee and Snack Break
10:45-12:00	- Introduction to Draft Environmental Assessment Initiation Guidelines: Content - Breakout Groups
12:00 - 1:30	- Lunch
1:30 – 3:00	- Breakout Groups
3:00 – 3:15	- Coffee and Snack Break
3:15 – 4:00	- Group Discussion and Wrap-up - Closing Comments

Questions or Comments

If you have any questions or comments regarding the workshop, please contact Davin St. Pierre, EA Policy Advisor at 1-867-766-7071 or dstpierre@reviewboard.ca.

Appendix B

List of Participants

Sign-in sheet	
Location: Tree of Peace	Date: June 20, 2018 – 8:30 a.m. – 4:00 p.m.
Facilitator(s) MVEIRB Staff **Margaret Kralt, Dillon Consulting Limited**	
Name	**Organization**
1. Damian Panayi	Golder Associates
2. Jon Posynick	GNWT Infrastructure
3. Laura	Fort Resolution Metis Council
4. Liam Case	CANNOR – NPMO
5. Lisa Tudor	Fort Resolution Metis Council
6. Patrick Simon	Deninu K'ue First Nation
7. Sarah Elsasser	Wek' èezhìi Land and Water Board
8. Dustin Chaffee	Dominion Diamond
9. Tom Hoefner	NWT and Nunavut Chamber of Mines
10. Chris Hewitt	GNWT Municipal and Community Affairs
11. Lynn Boettger	Dominion Diamond
12. Sherry Becker	Imperial Oil
13. Doug Doan	Gwich'in Renewable Resources Board
14. Andrea Patenaude	GNWT Industry, Tourism and Investment
15. Joyce Gourlay	GNWT Infrastructure
16. Cathleen Knotsch	GNWT Infrastructure
17. Simon Toogood	Mackenzie Valley Environmental Impact Review Board
18. Alex Power	CANNOR
19. Connie Mantel	Dene Tha First Nation
20. Stu Niven	GNWT – Infrastructure
21. Amy Amos	Gwich'in Renewable Resources Board
22. Dan Drimes	SLR
23. Catherine Fairbairn	Mackenzie Valley Environmental Impact Review Board
24. David Jessiman	GNWT – Environment and Natural Resources

25. Chris Rose	Mackenzie Valley Environmental Impact Review Board
26. Sam Kennedy	INAC
27. Peter Unger	NRCAN
28. Judy Dudley	PPML
29. Andy Wheeler	KBL Environmental
30. Tina Giroux	ANDLC
31. Nancy Pacquette	ANDLC
32. Bill Pain	GNWT – Environment and Natural Resources
33. Laurie McGregor	GNWT – Environment and Natural Resources
34. Melissa Pinto	ECCC
35. Eva Walker	ECCC
36. Bradley Summerfield	ECCC
37. Alan Sexton	Terra X Minerals
38. Joe Campbell	Terra X Minerals
39. Jonathan Gorman	AGA
40. David Connelly	Terra X Minerals
41. Angela Plautz	Mackenzie Valley Land and Water Board
42. Eric Bonhomme	Stantec
43. Marc Casas	IEMA
44. Rohan Brown	GNWT – Department of Justice
45. Scott Naylor	GNWT – Municipal and Community Affairs
46. Melissa Pink	GNWT – Department of Lands
47. Tawanis Testart	CIRNAC – CARP
48. Michele Culhane	GNWT – Environment and Natural Resources
49. Peter Fast	GNWT – Industry, Tourism and Investment
50. Kathy Becker	K Becker Consulting
51. Donna Bigelow	GNWT – Executive and Indigenous Affairs
52. Lorraine Seale	GNWT – Department of Lands
53. Fabian Chonkolay	Dene Tha First Nation

54. Kelly Fischer	GNWT – Environment and Natural Resources
55. Lindsey Cymbalisty	Mackenzie Valley Land and Water Board
56. Arthur Beck	Fort Resolution Metis Nation
57. Stacey Menzies	Mackenzie Valley Environmental Impact Review Board
58. Margaret Kralt	Dillon Consulting Limited
59. Aidan Kennedy	Dillon Consulting Limited
60. Brett Wheler	Mackenzie Valley Environmental Impact Review Board
61. Davin St. Pierre	Mackenzie Valley Environmental Impact Review Board
62. Alan Ehrlich	Mackenzie Valley Environmental Impact Review Board

Appendix C

Break-out Group Posters

Project Description

Project Overview

Purpose

- Overview information to capture high-level project information and project-related details

- **General project information**
  - Title, contacts, project type, and methods
  - Nature and capacity of resource proposed for development
  - Detailed project and site maps (regional and local context)
  - Detailed project timeline (identification of phases and proposed timing)
  - Equipment list
  - Labour force and human resources (employment and training, workforce requirements, hiring opportunities and policies)
- **Purpose of the Project**
  - Objectives, goals, use of end products
  - Need for the development and benefits to communities, Northwest Territories, and Canada
- **Project History**
  - Previous or related projects
  - Site history (including existing site infrastructure)
- **Project Authorizations**
  - List of required and existing authorizations (water licences, permits, leases, other)
  - Status of conformity with land use plans
  - Status of conformity with current or prospective habitat management plans and protected areas
- **Description of the Developer**
  - Corporate history and status, environmental performance records
  - Financial viability to undertake costs of EA
  - Corporate policies, codes of practice, programs, plans for environmental sustainability, community engagement, northern hiring, workplace health and safety, etc.

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Project Description

Project Components, Alternatives, and Plans

Purpose

- Substantive and thorough information to clearly understand the development proposal

- **Description of all works, activities, and components of the project**
  - Description of each component (standard and project-specific)
  - Methods to undertake the component and manage the component
  - Contingencies
  - Summaries of management plans with appended copies of the management plans (including conceptual plans)

- **How to identify and describe project components:**
  - *What activities or characteristics would the project consist of?*
  - *When and where would these components take place?*
  - *How would the components be undertaken and what methods would be used?*
  - *How were the components designed?*
  - *How would the components be monitored and managed?*

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Project Description

Project Components, Alternatives, and Plans

- **Consideration of alternatives**
  - Description of alternative ways to carry out the development that could be technically and economically feasible
  - Reasons for selecting chosen methods
  - Major differences in potential impacts
  - Feedback during engagement sessions and how it was considered in decision-making
  - How viability of options could improve through future developments (e.g., input from parties, technological developments)

- **Monitoring and Management Programs and Plans**
  - List of all management plans (including drafts and conceptual plans)
  - Summaries for all plans

Plain Language Summary and Map

- **Snapshot description of the proposed development in plain language (and translated languages)**
  - Project type, timeline, location
  - Main project components (activities and physical infrastructure)
  - Methods
  - Project history and related projects
  - Developer history

- **Map**
  - Areas of proposed development and infrastructure
  - Boundaries of permits and authorizations
  - Local/regional governance boundaries
  - Common and traditional location names
  - Proximity to designated conservation areas, national/territorial parks, areas of known public/traditional use

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Description of Existing Environments

Purpose

- To obtain information on environmental conditions in the project area and set context for consideration of potential impacts
- Where relevant, developer should differentiate between *current* environmental conditions and *natural* background conditions
- Components of importance to Aboriginal peoples and public should be identified through early engagement

Components of the Environment:

- Multiple sources should be accessed to identify and describe relevant components of the environment
  - Collection and use of baseline
  - Site-specific information from project planning resources (e.g., public data, community engagement)
- Guidance drawn from MVEIRB's Socio-Economic Impact Assessment Guidelines
- Responsibility of the developer to describe components of the environment relevant to the project type
- Description of the project area and areas where project-related effects could occur
- Identification of local and regional environmental conditions, as well as current and historical environmental trends

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Description of Existing Environments

Components of the Biophysical Environment:

Sample biophysical components for a natural resource project:

- Geological setting and resources
- Description and physical nature of resource
- Geochemistry
- Surficial geology and soils
- Climate and meteorology of the project area
- Groundwater
- Surface water
- Biological Environment
  - Ecosystems
  - Vegetation
  - Fish and Wildlife and their habitat
  - Protected areas, wildlife corridors, buffer zones

Components of the Human Environment:

Sample components to describe the human environment:

- General (e.g., demographics, infrastructure, cost of living)
- Economic (e.g., employment, labour force, education, traditional)
- Health and well-being
- Historic/current land use
- Cultural or spiritual places and activities
- Archaeological resources




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Identification of Potential Impacts and Mitigation

Purpose

- Provide a preliminary description of project interactions with the environment
- Identify potential impacts on the environment
- Describe proposed mitigation measures

Inform subsequent stages of the EA process (scoping, TOR, DAR)

- Descriptions of impacts and mitigation measures supported by:
  - Impact models or diagrams to support descriptions and identify interactions between the project and the environment, and potential impacts
  - Tables to summarize and describe potential impacts
  - Should also include a discussion on the effects of the environment on the project

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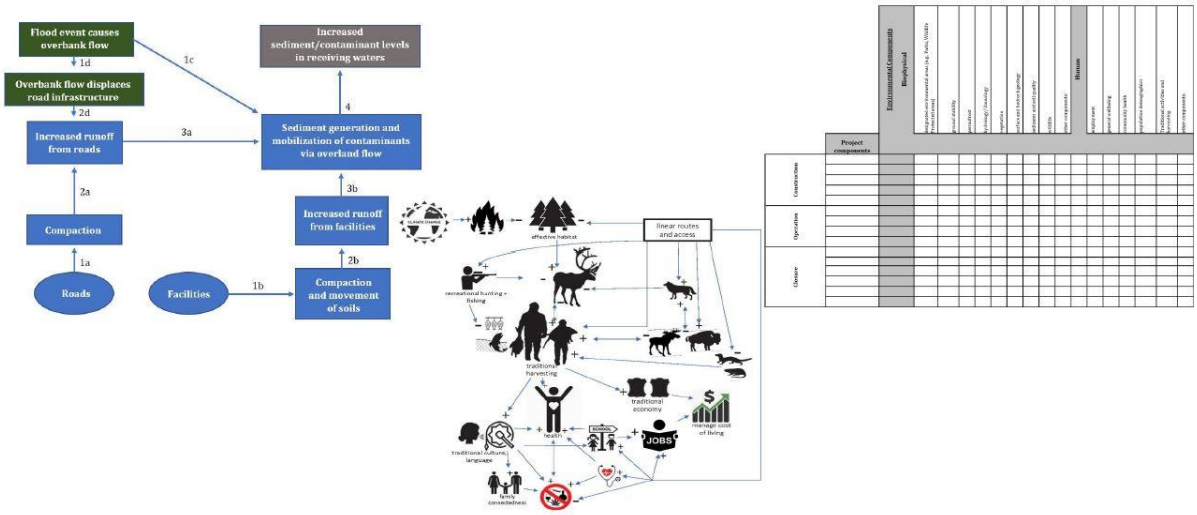
Identification of Potential Impacts and Mitigation



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Aboriginal & Public engagement and Traditional Knowledge

Purpose

- Clearly identify engagement undertaken during project planning, and what would continue throughout the EA and the project

- Builds on MVMRA subsection 114(c)
  - Part of the purpose of the EIA process is to ensure that the concerns of Aboriginal peoples and the general public are taken into account
- MVEIRB's *Guidelines for Incorporating Traditional Knowledge in Environmental Impact Assessment*

Engagement Record and Plan

- Provide an up-to-date engagement record **and** an ongoing engagement plan
  - **Understand concerns** of communities
  - **Understand** how **feedback** informed project planning
  - Understand how Aboriginal organizations/government and communities would be **engaged during the project**

- *MVLWB Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits* (2013)

Traditional Knowledge

- Description of how Traditional Knowledge was considered and included

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