



Catherine Fairbairn
Senior Environmental Assessment Advisor
Mackenzie Valley Environmental Impact Review Board
200 SCOTIA CENTRE 5102-50TH AVENUE
PO BOX 938
YELLOWKNIFE NT X1A 2N7

DELIVERED VIA EMAIL

Dear Ms. Fairbairn:

EA1213-02: Comments on the Draft Workplan for the Mackenzie Valley Highway Environmental Assessment Process

Thank you for the opportunity to provide comments on the draft workplan for the Mackenzie Valley Highway (MVH) environmental assessment (EA) process which was posted to the Mackenzie Valley Environmental Impact Review Board (Review Board) Registry on November 21, 2023.

Upon review of the draft workplan and following a discussion between Government of the Northwest Territories (GNWT) officials and Review Board staff on December 8, 2023 the Department of Infrastructure wishes to submit the following comments on behalf of the GNWT for Review Board consideration:

Public Review via the Online Review System (ORS)

The Review Board is currently accepting feedback from the public on the GNWT's Developers Assessment Report (DAR) via the ORS. The GNWT has been encouraged to be responsive to questions of comments submitted on the ORS. While not formal *Information Requests* (IRs) as outlined in the remainder of the workplan, this process is intended to both inform future IRs and/or add clarity such that future IRs may not be necessary.

- The Public Review process should be captured in the schedule table of the workplan
- Clarity should be provided to indicate that this Public Review is considered "Board Time", as per legislated timelines
- It is not clear if the GNWT is anticipated to respond to all questions and comments provided via the Public Review process, or if the Review Board will be reviewing and filtering to ensure they are within scope, or may be more appropriate for future IRs

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In addition to the Public Review via the ORS, Review Board staff have suggested it would be useful for the GNWT to conduct community engagement on the DAR early in the new year to increase public awareness of the MVH project prior to the issuance of IRs.

- The GNWT recommends the Review Board take the lead in coordinating this engagement
- The proposed engagement should be captured in the schedule table of the workplan
- Clarity should be provided to indicate that this engagement is considered “Board Time”, as per legislated timelines

Timelines for Information Request Response

The current draft workplan provides the GNWT with approximately four weeks to action responses to IRs provided they are received on the dates scheduled. While the GNWT will endeavour to be responsive and timely, we feel that a period of 6 weeks would be more appropriate for the GNWT to respond within, based on our necessary internal coordination and approvals processes. We feel this is a reasonable request to the workplan as proposed, and could be accommodated within the existing overall timeframe for the EA as proposed by the Board

- The GNWT recommends that IRs from the Review Board and Parties, to the extent possible, are submitted together on the timeline outlined in the workplan
- Clarity should be provided to indicate that upon receipt of IRs the actioning of responses is on the “Developers Time”
- Workplan timelines should be amended to allow 6 weeks for the Developer to provide a response to IRs

Submission of a revised Developer’s Assessment Report

The current draft workplan indicates an expectation that the GNWT will submit a revised DAR in the fall of 2024 following the Analytical Phase of the process and prior to Interventions and Hearings. The GNWT fully appreciates there may be a need to adjust aspects of the DAR in response to feedback received through the Public Review and IR processes but not to rewrite and submit a new DAR.

- The GNWT suggests that if additional information or changes are required to any part of the DAR following the technical sessions and information request rounds, addendums or supplemental filings should be sufficient to meet the Review Board requirements. This approach is likely more useful, and less onerous for reviewers, as they can focus on the areas of revision in a separate document versus having to search through a new edition of the DAR for these updates.

Future Work Planning

The GNWT notes that detail regarding technical sessions and hearings (proposed timings and locations) are currently vague.

- The GNWT suggest that as early as possible, additional detail be provided with regard to plans (including location and anticipated timing) for technical sessions and hearings, to improve resource and logistic coordination for all Parties

If there are any questions or if additional clarification is required, please feel free to contact me directly (867) 767-9082 ext. 31035, or by email at Seth.Bohnet@gov.nt.ca. Alternatively, you can reach out to Patricia Coyne, Manager MVH Environmental Affairs at (867) 767-9082 ext. 31033, or by email at Patricia.Coyne@gov.nt.ca.

Sincerely,



Seth Bohnet
Director, Strategic Infrastructure
Infrastructure

c. Distribution List

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