



EA1617-01

Draft Work Plan

Tlicho All-season Road

Government of the Northwest Territories

October 28, 2016
Mackenzie Valley Review Board
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1. Introduction

This is the draft Work Plan for EA1617-01, the environmental assessment (EA) of the Tlicho All-season Road Project (TASR or the Project) proposed by the Government of the Northwest Territories-Department of Transportation (GNWT-DOT).

This EA is subject to the requirements of Part 5 of the *Mackenzie Valley Resource Management Act* (MVRMA). The Review Board has published *Environmental Impact Assessment Guidelines* and *Rules of Procedure* that describe the environmental assessment process and rules for its proceedings in detail. They are located on the Review Board website:

http://www.reviewboard.ca/process_information/guidance_documentation/guidelines.php

All documents related to this EA are accessible on the Review Board's public registry at www.reviewboard.ca. This draft Work Plan provides an estimated schedule for the environmental assessment and a brief description of work plan phases.

In accordance with the rules of procedure, the board may vary this work plan as it deems necessary to ensure the EA process is fair and efficient. When the developer submits its Adequacy Statement Response, a final work plan with detailed dates will be issued.

2. Estimated Schedule

This section describes the process steps and estimated time requirements for each phase in the environmental assessment of the Tlicho All-season Road Project since its initial referral. The timelines provided assume the quality of information received at each stage of the EA is sufficient to advance the process and does not require clarification or additional work. The Review Board may amend the schedule at its discretion.

As of October 28, 2016, the Review Board had used 3 months of its allotted 16 months as legislated under the amendments to the *Mackenzie Valley Resource Management Act* which came into force March 25, 2014. The Review Board believes it can complete the environmental assessment of the Project in 8.75 months (see Table 1).

Table 1. Work plan for EA1617-01 with estimated schedule and timelines

Legend
Mackenzie Valley Environmental Impact Review Board
Developer's/GNWT-DOT time
Minister

Process step	Process step time (approx. # weeks)	Cumulative Board time (approx. # months)
Referral of development proposal to environmental assessment	Start July 21, 2016	start
<i>Scoping</i>		
Community issues scoping meeting in Whatì	4 weeks	1 month
Technical issues scoping meeting in Yellowknife		
Draft Terms of Reference and draft Adequacy Statement	4 weeks	2 months
Public review and comment	3 weeks	
Developer review and comment		
Final Terms of Reference and final Adequacy Statement	1 week (October 30, 2016)	3 months
<i>Developer's fulfillment of Adequacy Statement requirements</i>		
Developer submits Adequacy Statement Response		
Conformity check of Adequacy Statement Response	2 week	
<i>Information Requests and Technical Session</i>		
Information requests	3 weeks	4 months
Developer responses to information requests		
Technical Session in Behchokò	1 week	
Developer response to undertakings from technical session		
*If sufficient issues remain unresolved following the Technical Sessions, the Board may require a second round of information requests		

Public Hearings

Technical Reports submitted (Parties' Interventions)	3 weeks	
Pre-hearing conference		
Developer response to Technical Reports (Intervention)		
Deadline for Parties' Presentations	1 week	
Deadline for Developer's Presentation		
Public Hearings in Whatì and Behchokò	2 weeks	6months
Developer undertakings from hearing		
Closing arguments from Parties	2 weeks	6.5 months
Developer closing arguments and closure of public record		

Decision

Report of EA and Reasons for Decision	9 weeks	8.75 months
Decision from Minister of Lands and Tìchò Government		

3. Work Plan phases

The phases in this EA include the Start-up, Scoping and Terms of Reference, Analytical, Hearing and Decision phases. They are briefly described below.

3.1. Start-up phase

The Review Board self-referred the EA on July 21, 2016. This date marks the commencement of the EA process for EA1617-01¹. During the Start-up phase, the Review Board notified the developer and the public of the referral of the project. A project-specific EA was opened on the public registry and Review Board staff were assigned review roles for the EA. The primary contact on behalf of the Review Board is Ruari Carthew, Sr. Environmental Assessment Officer.

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3.2. Scoping and Terms of Reference phase

The Review Board held a community scoping meeting in Whatì August 18, 2016, and a technical scoping meeting in Yellowknife August 24, 2016. The Review Board incorporated comments and concerns from the public scoping meetings into a draft *Terms of Reference*. For reasons outlined in the [Notice of Proceeding \(PR#44\) Review Board's Approach to the Tłı̄chų All-Season Road Terms of Reference](#), a draft *Adequacy Statement* was also developed. This document outlines the outstanding information needed for this EA. Both documents were submitted for review and comment on September 23, 2016. Comments from the public were received by the Review Board on October 13, 2016. Comments from the developer were received October 20, 2016, and the Review Board published a final *Terms of Reference* on Oct 28, 2016.

¹ See the Review Board's ["Reasons for Decision for Referral to Environmental Assessment"](#) (PR#2) for specifics.

3.3. Analytical phase

This phase includes the following steps:

Developer's **Adequacy Response Statement (ASR)**: The developer will submit the information needed to address the Review Board's *Adequacy Statement*. This information will be considered alongside the Developer's [Project Description Report](#) (PR#7). Together, these two documents will satisfy the standard developer's assessment report (DAR) requirement.

Conformity Check: The Review Board will do a conformity check to ensure that the developer's ASR addresses the requirements of the *Adequacy Statement*. When the requirements of the *Adequacy Statement* have been addressed, the EA can move into the information request phase.

Information requests and responses: Information requests provide an opportunity for parties to seek additional information or clarification to better understand potential impacts and mitigations. Responses to the information requests are required unless rationale is provided on why a response cannot be submitted.

Technical Review: A technical review usually happens when parties to the environmental assessment, or any hired expert, look at the contents of the PDR and ASR to see if they agree with the issues' analysis, potential impacts and any mitigation measures that the developer is proposing. The technical review helps resolve or clarify issues and gather information that will help the Review Board make its final decision. There may be "technical sessions" during this stage as part of the review. These sessions are public meetings for the developer, parties and the public to discuss the evidence in the Developer's Assessment Report. See the [Technical Review step-by-step guide](#) for more details.

3.4. Hearing phase

The Review Board can, and typically does, hold a public hearing or hearings to address issues that remain outstanding and allow for parties and the public to speak to the Review Board directly. Review Board members are present at the public hearing. The Board will provide public notice a minimum of 30 business days in advance of the hearing. Hearings offer an opportunity for the developer, parties and the public to directly address the Review Board with evidence regarding the potential impacts of the proposed project.

Parties may apply to intervene at the hearing in order to provide formal presentations and to

question the developer and other parties. At the hearing, the Review Board may identify undertakings that parties or the developer commit to during the public hearing. After any undertakings are submitted, parties and the developer will submit closing arguments with deadlines provided by the Review Board.

Parties that wish to intervene in the public hearing must submit technical reports, which clearly state the parties' conclusions and recommendations based on evidence on the public record. The developer provides responses to technical reports prior to the public hearing, including any proposed amendments, additions or refinements to the development description, its own prediction of impacts, or mitigation commitments. The Review Board will provide a template and format for preparing a technical report.

Specifics on hearing format are set out in a Notice of Proceedings prior to the hearings.

3.5. Decision phase

Following the hearing phase, the Review Board closes the public record for the environmental assessment and begins its final deliberations. Upon completing its thorough assessment of the evidence on the public record, the Review Board releases a *Report of Environmental Assessment* and *Reasons for Decision*. The Review Board will provide the GNWT Minister of Lands and the Tłı̨chǫ Government with its *Report of Environmental Assessment* in accordance with subsection 128(2) of the MVRMA.