

September 19, 2016

## Notice of Proceeding

To: Distribution list

**Re: Review Board's Approach to the Tłıchq All-Season Road Terms of Reference**

The Review Board would like to advise the developer and interested parties of the next steps in the environmental assessment process for the Tłıchq All-Season Road (the "Project"). This notice outlines the Review Board's approach to producing a Terms of Reference for this Project.

The typical approach for producing terms of reference during an environmental assessment is outlined in the Review Board's *Environmental Impact Assessment Guidelines*.<sup>1</sup> The Review Board's approach to the Terms of Reference for this Project is unique because of the amount and quality of material transferred to the Review Board upon referral, which included the developer's Project Description Report and information submitted to the Wek'èezhìi Land and Water Board during the preliminary screening. Considering this and other material already on the public record, the Review Board is taking the following steps:

1. **Prepare a draft Terms of Reference**, based on:
  - a. the potential for the Project to cause significant adverse impacts and public concern, as identified by the Review Board from evidence on the public record to date; and
  - b. the standard information and methodology typically required by the Review Board in an environmental assessment, as outlined in the *Environmental Impact Assessment Guidelines*.
2. Evaluate the Project Description Report and evidence on the record against the draft Terms of Reference and **prepare a draft Adequacy Statement** detailing what further investigation is required.

The draft Adequacy Statement will not require further information where, in the Review Board's opinion, there is sufficient material on the record to move into the information request phase of the environmental assessment. In accordance with the Review Board's Rules of Procedure, the Board and parties can use information requests to pursue specific questions

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<sup>1</sup> [Environmental Impact Assessment Guidelines, March 2004](#)



related to any topic within the scope of the environmental assessment (including topics that are not necessarily covered in the Adequacy Statement).

3. **Distribute the draft Terms of Reference and draft Adequacy Statement for review** and comment by interested parties and the developer, along with the **draft Work Plan**
4. After considering the comments from interested parties and the developer, the Review Board will **finalize and issue the Review Board's final Terms of Reference and final Adequacy Statement** for the Project. The developer will then be responsible for meeting the information requirements set out in the Adequacy Statement.

The purpose of this approach is to:

- acknowledge the information and evidence on the public record, including the developer's Project Description Report;
- avoid duplication and focus further investigation throughout the environmental assessment on those effects that have the potential for significant adverse impacts on the environment; and
- provide detailed guidance to the developer regarding what further investigation is needed at this time.

The Review Board is now preparing for Step 3. The draft Terms of Reference and draft Adequacy Statement will be posted on the public registry along with a note to file requesting comments on these documents through the online review system by September 23, 2016.

If you have questions or require further information at this time, please contact Senior Environmental Assessment Officer, Ruari Carthew, at (867)766-7073 or at [rcarthew@reviewboard.ca](mailto:rcarthew@reviewboard.ca).