



Mackenzie Valley
Environmental Impact Review Board



EIA Made in the North



Overview

- **Location**
- **Co-Management**
- **Quasi-judicial board**
- **Definition of environmental effect/impact**
- **Decision Path**
- **Case Study**



Mackenzie Valley
Environmental Impact Review Board

Locator Map – Northwest Territories

Location



Co-Management

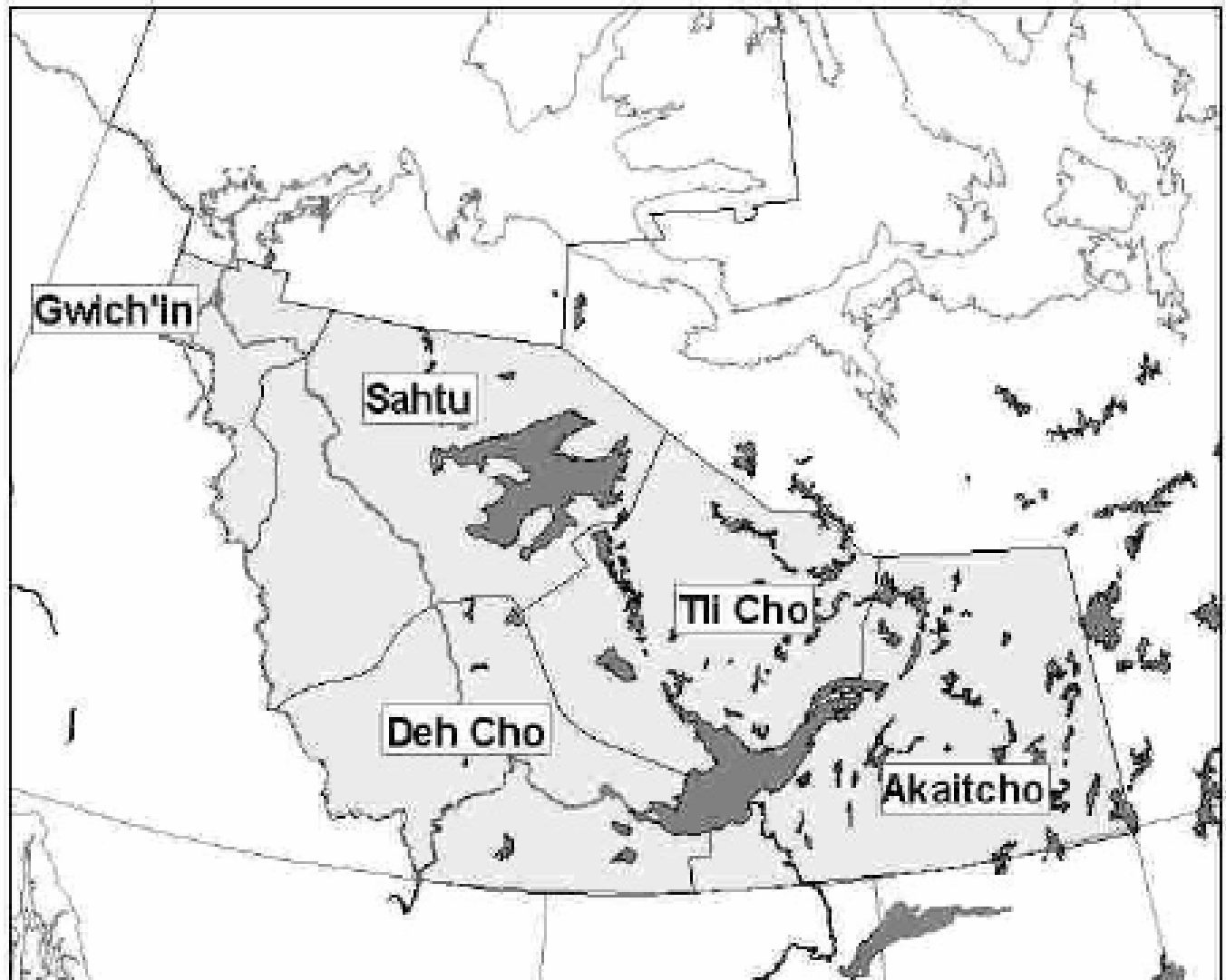
How we understand it:

- ⇒ **Shared resource management decision-making between First Nations and Government**
- ⇒ **Allows for local and traditional knowledge to be better factored into decision-making**
- ⇒ **Allows for all views to be considered and weighed equally, to provide a shared or balanced outcome**
- ⇒ **A way to place greater responsibility and accountability on resource users**
- ⇒ **Lessens perceived government responsibility**



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Co-Management





Co-Management

MVEIRB as an example of a co-management body at work:

⇒ **Task of the Board is:**

- **The protection of the environment from the significant adverse impacts of proposed developments; and**
- **The protection of the social, cultural and economic well-being of residents and communities of the Mackenzie Valley.**



Co-Management

How Does the Board Work?

- ⇒ **Members of the Board are nominated by the First Nations, Territorial Government and or Federal government officials, and receive final appointment from the Federal Minister of Indian and Northern Affairs**
- ⇒ **At least half of the Board members (not including chair) must be nominated by First Nations**
- ⇒ **No more than half of the Board members can be nominated by the Territorial Government / Federal government officials**

The Board





Quasi-judicial Board

- ⇒ **Quasi-judicial board (MVEIRB) has the power to recommend whether or not a project should proceed**
 - ⇒ ***e.g. In the case of New Shohsoni Ventures, recommended project does not proceed, not able to mitigate impacts***

- ⇒ **Responsible for environmental assessment of larger or more contentious development projects**
 - e.g. Diamond mines expansion of Ekati, bridge across Mackenzie River, early mineral exploration in culturally sensitive areas***



Quasi-judicial Board

- ⇒ **Although not responsible for the issuance of any licenses or permits per se, may make recommendations as to how, or under what conditions, permits or licenses should be issued.**
 - e.g. no development along 1 km buffer of Drybones Bay shoreline to avoid potential archaeological sites***
- ⇒ **Recommendations arise as a result of the EA process, and are legally binding, via the Minister of Indian and Northern Affairs Canada**



Quasi-judicial Board

The quasi-judicial EA process in the Mackenzie Valley:

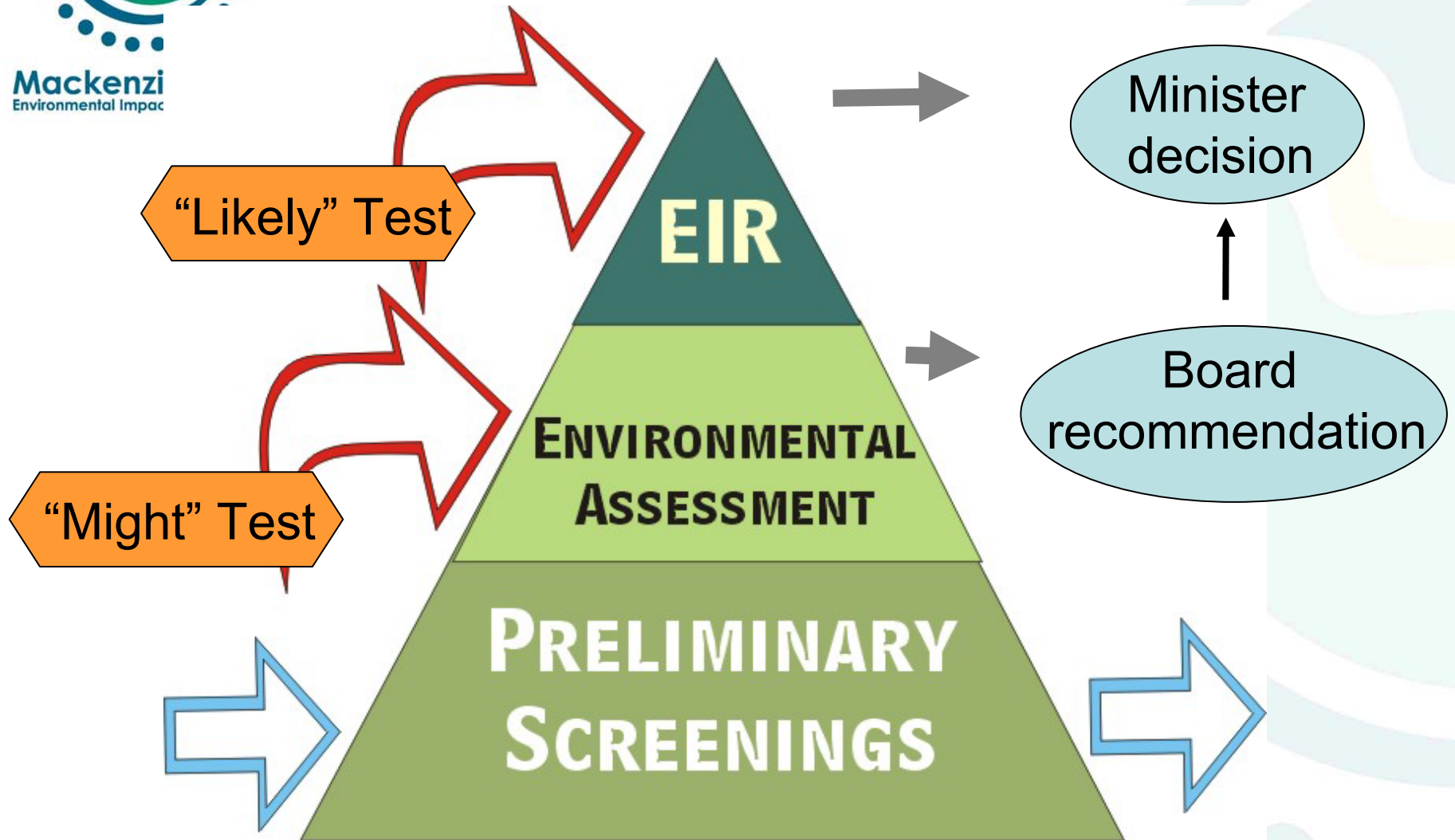
- ⇒ a public record is opened when a project is referred to the Review Board,
- ⇒ participants to the process are registered as parties,
- ⇒ evidence is submitted throughout the course of the EA,
- ⇒ a public hearing in order to gather additional evidence from parties may or may not be utilized,
- ⇒ and eventually the record closes, and
- ⇒ the board deliberates on what is contained on the record before formulating and issuing an official decision

Quasi-judicial Board

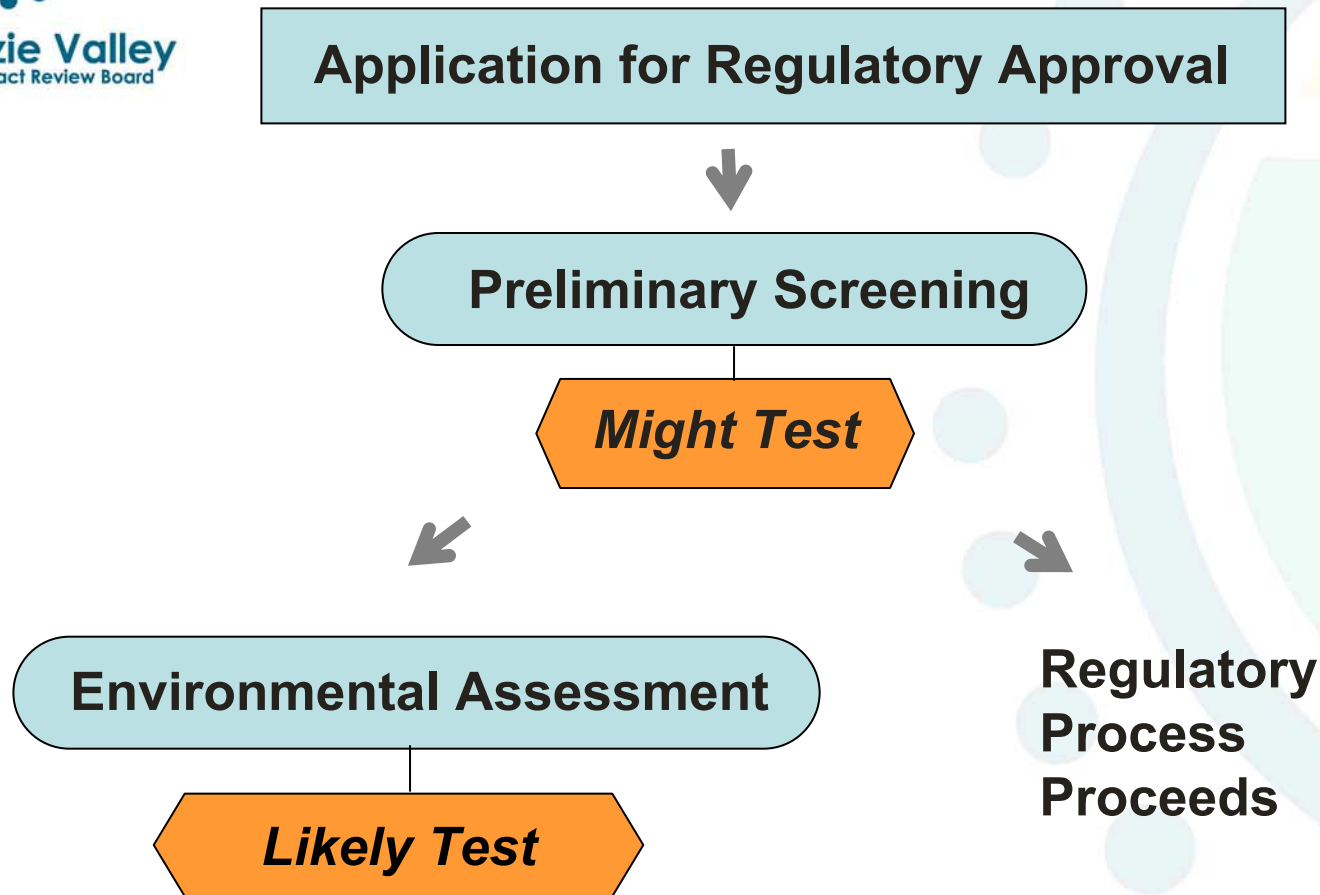
How Does the Board Make Decisions?

- ⇒ **Members of the Board are presented all the evidence in an EA, through written submissions or through Public Hearing process**
- ⇒ **The Board has time to review evidence and to think about possible outcomes for project**
- ⇒ **The Board sits together and everyone has the opportunity to discuss their views, ideally decisions are made by consensus or else they will vote**
- ⇒ **Outcome of decision is written into final Report of EA and submitted to INAC Minister**

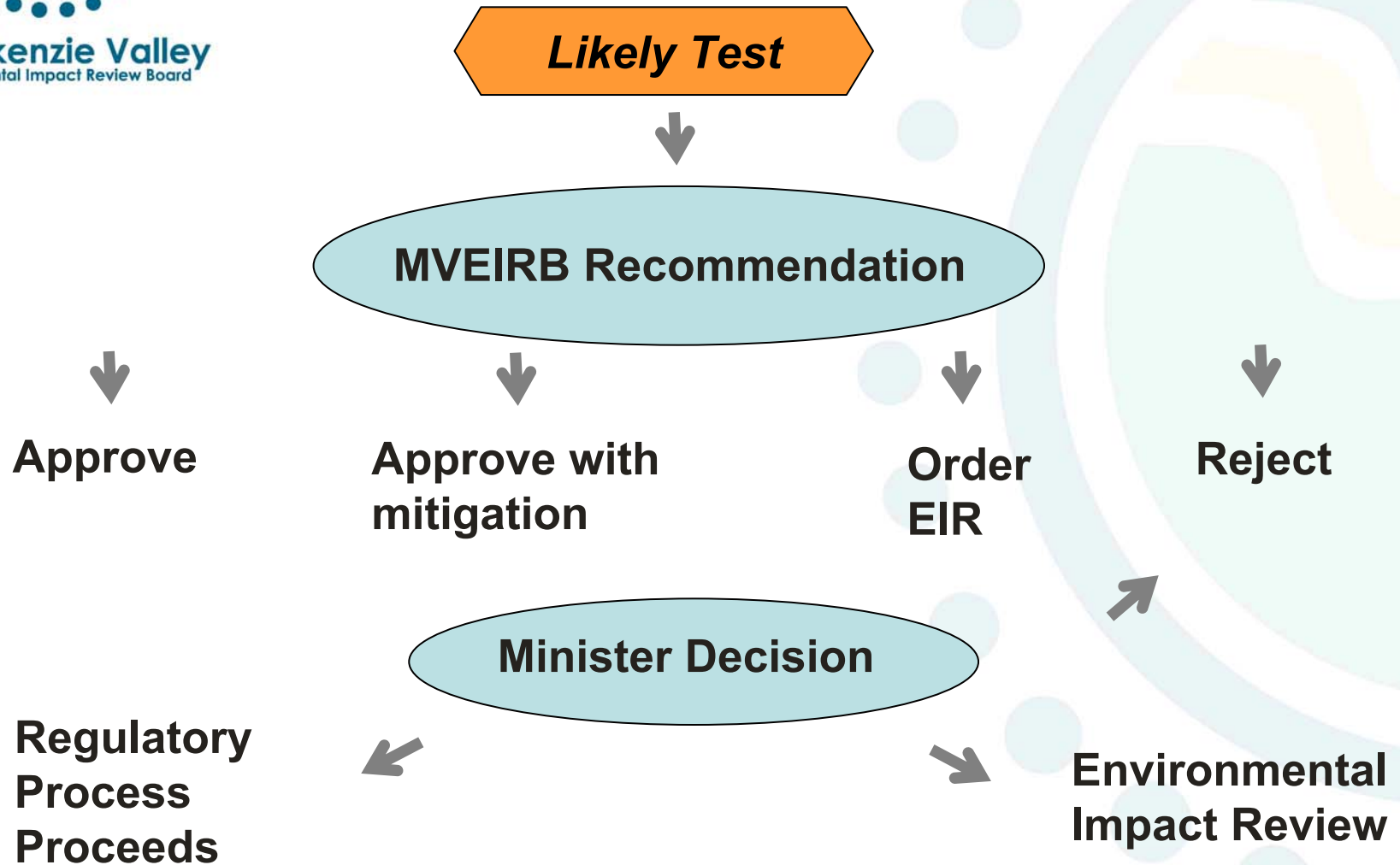
Decision Path Overview



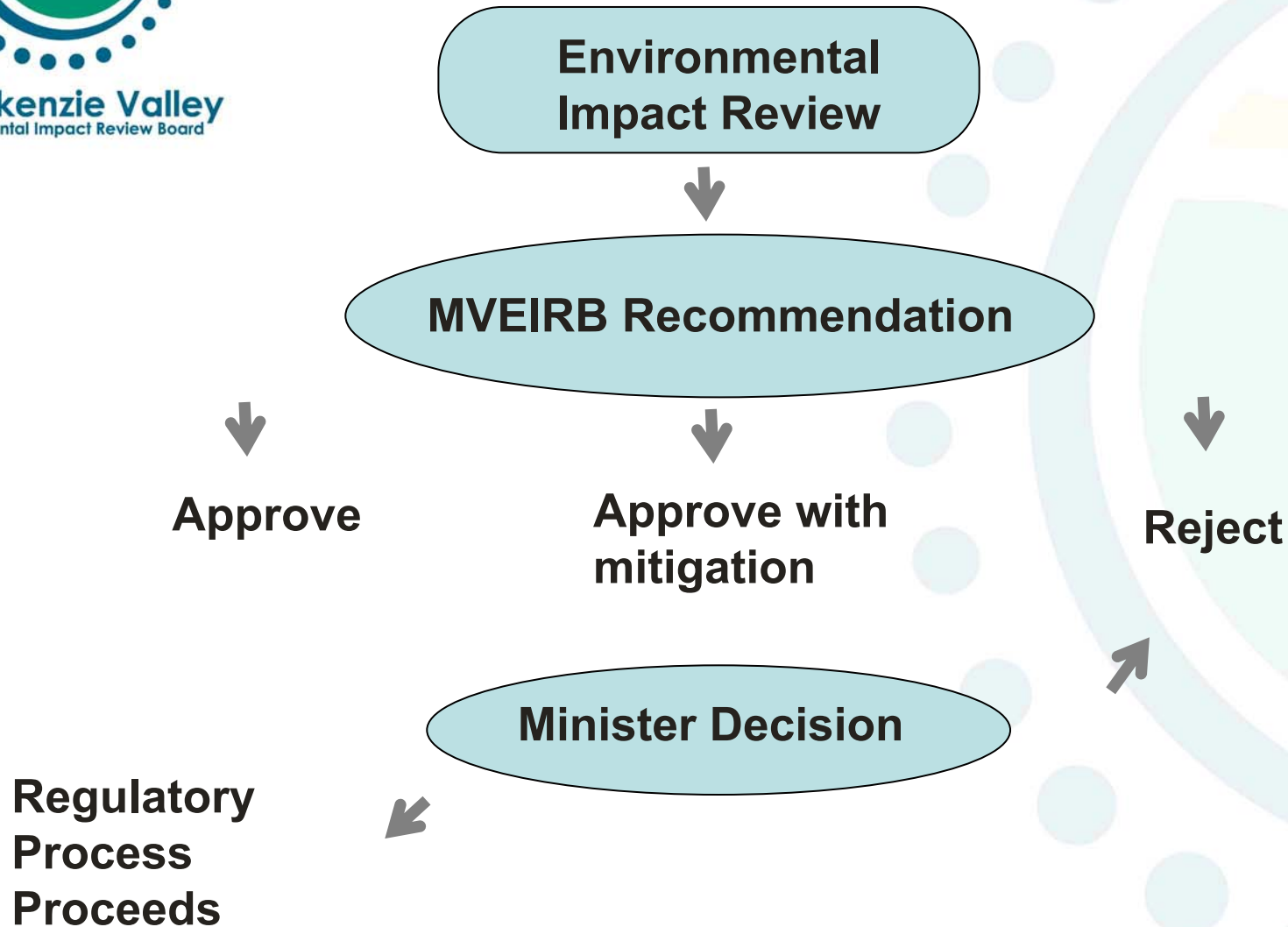
Decision Path part one



Decision Path part two



Decision Path part three





Case Study

Northrock Resources applies for oil and gas exploration well and 75 km winter access



Preliminary Screening:

- no significant impact on physical and biological environment
- public concern



Project “fails” might test

EA focus on:

- access route selection
- wildlife harvesting
- culturally important areas



EA is 2/3 about direct Socio-economic impacts

Case Study

**Access route selection of no
environmental consequence**



**significant impact
NOT likely**

**Temporary displacement of
game animals affects
subsistence hunters**



**significant impact LIKELY;
mitigate via compensation**

**Archeological sites along
access route**



**significant impact LIKELY;
mitigate via archeological
survey**



**Board Recommendation:
Approve with mitigation**