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Overview of Environmental Impact Assessment



*A booklet series about Environmental Impact
Assessment in the Mackenzie Valley*

THE REVIEW BOARD

OUR VISION

Making wise environmental impact assessment decisions that balance the diverse values, interests, and knowledge of all residents of the Mackenzie Valley, while ensuring the protection of the environment for present and future generations.

Environmental assessment is a set of steps for decision making. It involves predicting whether a proposed project is likely to cause environmental impacts that matter (“significant impacts”), and identifying ways to avoid or reduce them.

Mackenzie Valley Environmental Impact Review Board
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This booklet is the first in a series of six that provide information on the environmental assessment (or “EA”) process in the Mackenzie Valley. This booklet sets the stage for the others.

This book also introduces five other booklets in this series. These describe project **planning**, **preliminary screening**, **environmental assessment**, **follow-up**, and **participation** in the EA process.

KEY TAKE-AWAYS

- the Mackenzie Valley Environmental Impact Review Board (the “Review Board”) comes from land claim agreements and is based in law
- EA has a role in the larger co-management system of the Mackenzie Valley
- the Review Board makes fair decisions based on evidence
- the Review Board relies on participation to assess impacts

This booklet is intended for information purposes only. It has been prepared in an effort to highlight key elements of the environmental assessment process. If any information conflicts with the Mackenzie Valley Resource Management Act or any of the Board’s Guidelines, Reference Bulletins, or Policies, the latter would take precedence.

ENVIRONMENTAL ASSESSMENT AT A GLANCE

In this booklet we're highlighting the approach to all steps in the environmental assessment process.



PROJECT PLANNING
FIRST, A DEVELOPER
PLANS A PROJECT

1

PRELIMINARY SCREENING
OR DIRECT REFERRAL
TO ASSESSMENT
IS AN ENVIRONMENTAL
ASSESSMENT NEEDED?

2



SCOPING
WHAT ARE THE MOST
IMPORTANT ISSUES?

3

TECHNICAL REVIEW
PREDICTING
IMPACTS

4

PUBLIC HEARINGS
HAVE YOUR SAY

5

DECISION PHASE
THE REVIEW BOARD
DECIDES

6

FOLLOW-UP
MONITOR AND ADAPT

7



NORTHERN DECISION-MAKING FOR NORTHERN DEVELOPMENT


The EA process comes from the Land Claims and Part 5 of the Mackenzie Valley Resource Management Act

NWT Land Claim Agreements in the Mackenzie Valley



Section 114: "The Purpose of this Part is to establish a process comprising a preliminary screening, an environmental assessment and an environmental impact review in relation to proposals for developments [...]"

1. Gwich'in Comprehensive Land Claim Agreement
2. Sahtu Dene and Métis Comprehensive Land Claim Agreement
3. Tłı̨chǫ Land Claims and Self-government Agreement



CANADA

CONSOLIDATION

Mackenzie Valley Resource Management Act

S.C. 1998, c. 25

Current to September 11, 2021
Last amended on August 28, 2019

Co-management Boards make decisions about wildlife, land and water resources
The Mackenzie Valley Resource Management Act (MVRMA) is a law that creates co-management boards. The Review Board, like the other co-management boards, is made up of members nominated in equal numbers by:

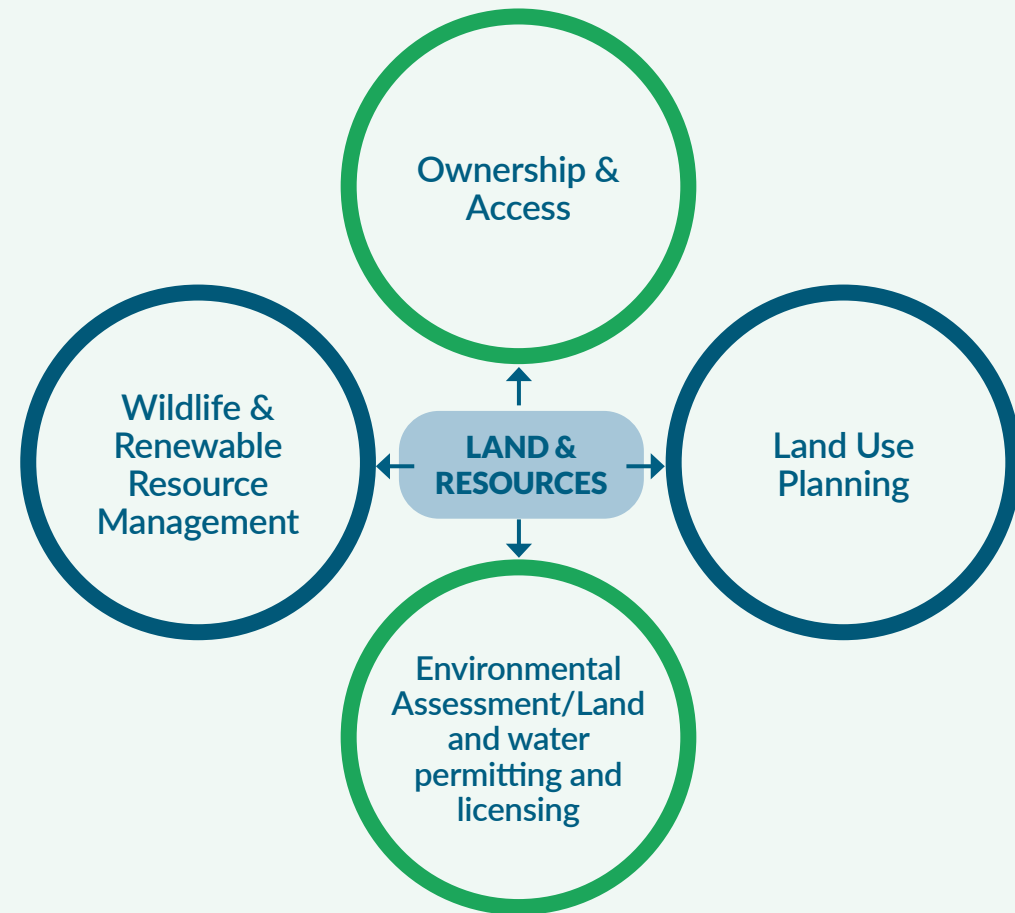
- Indigenous land claims organizations, and
- the territorial and federal governments.



The Mackenzie Valley Environmental Impact Review Board's **mission** is to conduct fair and timely environmental impact assessments in the Mackenzie Valley that protect the environment, including the social, economic and cultural well-being of its residents.

Environmental assessment is part of a bigger system

Environmental assessment is just one part of a **larger system of managing land and natural resources**. This system also includes land and water regulation and permitting, land use planning, land ownership and access, and wildlife and renewable resource management. This system is integrated, meaning that **all the parts are meant to work together**. Making good decisions about development projects involves looking at the way they will interact with every part of this system. The environmental assessment process is designed to consider all parts of the system.



BENEFITS OF GOOD ENVIRONMENTAL ASSESSMENT

- **Avoiding harmful impacts to the Land and people**
- **Meaningful community involvement in decision-making:** decisions respect the needs and concerns of communities
- **Better projects:** project changes made during the EA result in better projects
- **Good relationships:** developers, governments and co-management groups that invest in relationships with communities are responsive to their concerns and gain trust
- **Informed decisions:** gathering enough information about possible impacts in an EA allows the Review Board and others to make informed decisions

Environmental Assessments help the Review Board make wise decisions about developments

The Review Board must ensure that proposed development projects (like mines or roads) do not cause significant adverse impacts (harmful impacts that matter) on the land, wildlife or people of the Mackenzie Valley.



HOW THE REVIEW BOARD MAKES DECISIONS

The Review Board must consider the **protection of the environment from the significant adverse impacts of proposed developments.**

The Review Board considers **social, cultural and economic well-being.**

The Review Board is committed to making wise decisions in the interest of all residents of the Mackenzie Valley.

For every environmental assessment, in addition to protecting the environment, **the Review Board must protect the social, cultural and economic well-being of residents and communities** in the Mackenzie Valley. The Board must also consider the importance of conservation to the well-being and way of life of Indigenous people.



Photo: Pat Kane

The Review Board makes **fair and transparent value-based decisions informed by evidence.**

The Review Board runs a **public and inclusive process** that considers diverse perspectives. It makes its decisions based on the evidence, and on the considerations outlined in the MVRMA. The Review Board has a balance of Indigenous and non-Indigenous members, and its decisions reflect the worldviews of its members.

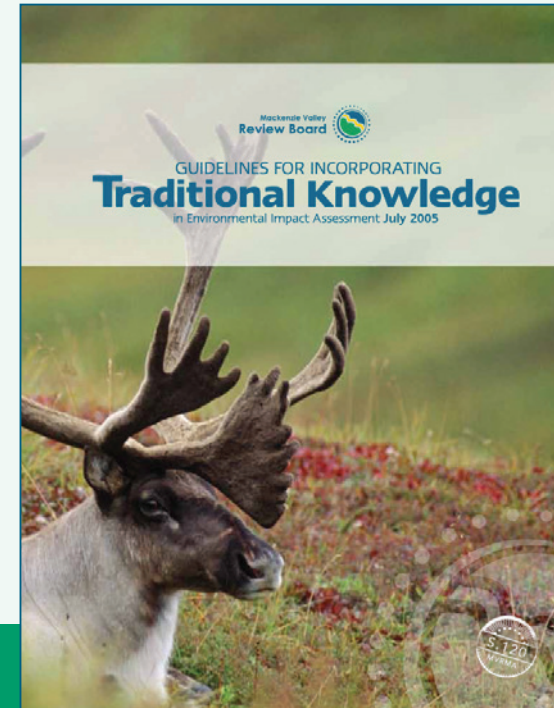
- **Fair:** Everyone involved has an equal chance to say what they think and respond to others
- **Accessible (and transparent):** Everyone involved can see the evidence the Board considered and the Board's reasoning for its decisions.
- **Accountable:** The Board explains and justifies its decisions.



The Review Board considers both Traditional Knowledge and science in its decisions

The Review Board is committed to considering Indigenous Traditional Knowledge shared during environmental assessments. **Traditional Knowledge helps the Review Board understand the environment** and how it is used before development occurs, and can help predict how the environment may be affected by development.

Traditional Knowledge is also essential for **understanding Indigenous people's values** and the **unique spiritual and cultural importance** of certain parts of the environment. The Review Board has published best practices for respectfully incorporating Traditional Knowledge into environmental impact assessment. This document is available on our website or in paper format from our office.



EA ISN'T JUST FOR MINES....

Many people think of environmental assessment as a tool used to understand impacts from major developments, like mines, oil and gas projects, roads and other public infrastructure. In the Mackenzie Valley, however, EAs may also be needed for smaller projects that may cause public concern, such as for projects that are located in places with unique cultural value, or that use new technologies.

TYPES OF PROJECTS

Environmental assessment looks at project like roads, mines, hydro, and pipelines.



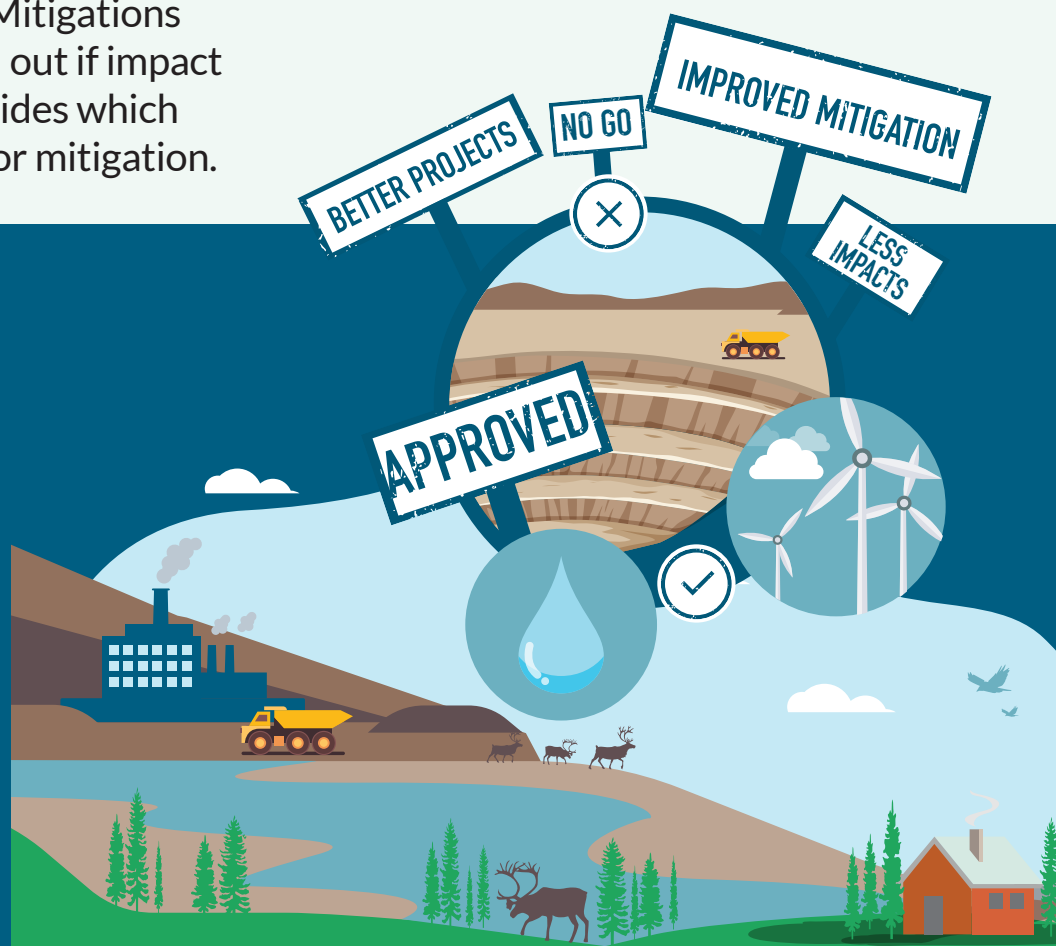
WHAT ARE ENVIRONMENTAL IMPACTS?

Environmental impacts are effects of human activities, such as building and operating industrial projects. **Some impacts are unintended and harmful.** Poorly planned developments can contaminate lakes, rivers and streams, reduce air quality and harm wildlife. Development can also have impacts on people's ability to practice traditional and cultural activities on the Land. **The Review Board considers impacts on the whole environment, including the ecosystem and people.** This includes potential social and economic changes, and the effects of development on people's well-being.

Reducing or avoiding impacts

Mitigations are ways to avoid or reduce impacts. Mitigations can be built into the project design, or only carried out if impact monitoring finds problems. The Review Board decides which impacts are serious enough to require measures for mitigation.

- To prevent impacts to barren-ground caribou migration, a developer may not be allowed to do all the activities it proposed, may have to avoid a sensitive location (like a certain esker), or suspend activities completely when caribou are nearby.
- Certain areas may be deemed so important (for environmental, social-economic or cultural reasons) that any disturbance to them may be unacceptable. Proposed developments in such areas have been rejected when the impacts could not be mitigated by changing the development.



Mitigations can be tailored to deal with community concerns

Developers should work directly with parties and communities to design mitigations that directly address their concerns. Even before an EA starts, projects are often improved by talking with the communities and conducting research to understand the local environment in more detail.

For example, during early engagement with communities, developers can make helpful changes to their projects that could avoid future problems and save them money, if they know what people are most concerned about.



THE REVIEW BOARD RELIES ON PARTICIPATION TO ASSESS IMPACTS

Many different people and organizations take part in environmental assessments.

These include developers, Indigenous governments and organizations, government departments, non-government organizations and community members.



Indigenous governments and organizations: Often participating as formal parties to the EA, Indigenous governments and First Nations provide a **voice for the people** they represent. They can provide **essential Traditional Knowledge**, and important input about how a proposed project could affect the land, and how to avoid or reduce the impact.



Government departments: Government departments with mandates to protect the environment or human health and well-being can provide expertise on things like wildlife, fisheries, human health impacts, and the laws and regulations that developers will have to follow. The **Review Board needs government input to fully understand the potential impacts**, the historic and existing condition of the environment in the project area and what legal protections are already in place.



Public (community members): The Review Board welcomes members of the public who are interested in or might be affected by a development to take part and provide comments during environmental assessments. Whenever possible, the Review Board travels to communities that may be affected by a proposed project to **hear directly from community members**. Community members have a unique personal perspective and provide important evidence for the Review Board to consider when making its decision.

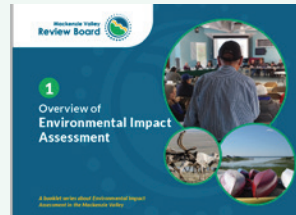
EVIDENCE AND THE PUBLIC RECORD

- The Review Board reviews all evidence that it gets in an EA to make an informed decision about whether a proposed project should be approved, and under what conditions.
- The Review Board does not do its own original field research on the Land. Usually that is done by others, including the developer and its consultants.
- The Review Board carefully considers evidence presented by participants before it makes decisions.

The Review Board relies on parties (including government) and the public to submit evidence, including oral testimony. The body of evidence that the Board considers in making its decision is called the **Public Record**. It is important that the Review Board has enough relevant evidence on the record to make an informed decision at the end of an EA.



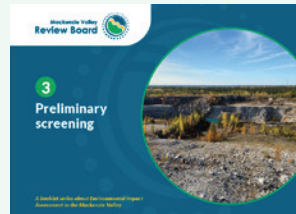
USE THESE BOOKLETS TO HELP YOU THROUGH THE EA PROCESS



Overview: How environmental assessment fits into the co-management system.



Project Planning: What should happen before an environmental impact assessment?



Preliminary Screening: The co-management system decides if an environmental assessment is needed.



Environmental Assessment: What steps happen during an environmental assessment by the Review Board?



Follow-up: What happens after an environmental assessment is completed?



Participation: How to make your voice heard in environmental assessment.

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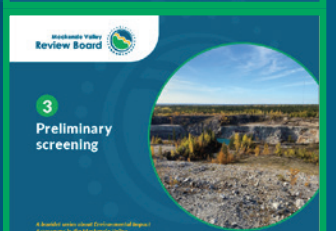
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