

# **NWT Board Forum DRAFT Final Summary Report**



**12<sup>th</sup> NWT Board Forum Meeting  
Community Cultural Centre  
Behchokö, Northwest Territories**

**June 15 - 16, 2010**

**Prepared by Terriplan Consultants  
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## 1.0 Introduction

### 1.1 Purpose and Objectives of the Board Forum Meeting

The purpose of the 12<sup>th</sup> NWT Board Forum, held in Behchokö, NT on June 15-16 2010, was to continue work on the Board Forum Strategic Plan first developed at the 10<sup>th</sup> Board Forum in Hay River in 2009; to continue to develop collaborative approaches to issues of interest and concern; and to identify opportunities to share resources and expertise. The Board Forum also continued to provide an opportunity for members to receive informative presentations and updates on topical initiatives from INAC, fellow member organizations and others. For this Forum there were seven formal presentations:

Time was also set aside on the first afternoon of this Forum to meet with Aboriginal organizations, and to hear from them on matters such as Board performance, the regulatory regime, and emerging challenges as seen from the perspective of Aboriginal leaders.

### 1.2 Report Contents

This summary report is organized as follows:

MAIN REPORT	APPENDICES
1.0 Introduction	Appendix A – NWT Board Forum Agenda
2.0 Select Working Group Updates	Appendix B – Participants List
3.0 Strategic Planning Session	Appendix C – Board Forum Terms of Reference
4.0 Member Updates	Appendix D – Presentations
5.0 Board Forum Terms of Reference	Appendix E – Strategic Plan
6.0 Presentation and Discussion with Aboriginal Leaders	Appendix F – Member Updates
7.0 Presentations and Updates	
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### 1.3 Opening Remarks

After a welcome by the Chairs, Violet Camsell-Blondin (Chair of the WLWB) and Willard Hagen (Chair of the MVLWB), an opening prayer was led by Richard Edjericon (Chair of the MVEIRB).

Minor changes to the agenda included moving the presentation by Stephen Traynor of INAC, because of other commitments, to Day 1 on the agenda rather than Day 2. Other shifts in the agenda were made accordingly.

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## 2.0 Select Working Group Updates

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Reports were made on the status and progress of two Board Forum Working Groups.

### 2.1 Board Forum Key Messaging – Zabey Nevitt and Eric Yaxley

Zabey Nevitt (MVLWB) and Eric Yaxley (BRS-INAC) presented a draft outline for a future generic PowerPoint presentation that could be used by NWT Boards to provide background and context for their specific Board's mandate, responsibilities and activities in resource management in the NWT.

An electronic version will be sent out soon to all Board Forum members who will be asked to enter their comments and changes on the document using "Track Changes", and return to Eric Yaxley by the second week of September, 2010.

Once all comments are received, a PowerPoint version of the presentation will be created, with revised and updated graphics. The plan is to have the next version presented at the November 2010 Board Forum for formal review and approval as appropriate.

### 2.2 Training Update – Liz Snider

Liz Snider (IRB) summarized the history of the Northern Boards Training Steering Committee and provided an update on the status of the program and plans for 2010/11. The Northern Boards Training Steering Committee was formed in 2005 by the NWT Board Forum to allow the NWT boards to collaborate on training needs. Each year, the Steering Committee identifies training priorities common to all of the boards, and develops and implements a plan for meeting those priorities.

The Auditor General's 2005 Report and other assessments have consistently recommended that the Federal Government ensure that each regulatory body has a structured plan for the orientation, training and continued education of board members.

In response to the Auditor General's report of 2005 and as part of the Northern Regulatory Improvement Initiative, the Northwest Territories Region of INAC conducted a pilot training and orientation project that was deemed successful. The project included the development of three documents: *Best Practices of Institutions of Public Governance & NWT Boards*, *NWT Boards Training Needs Assessment & Key Considerations for the Development of an Orientation Manual* and a *General Orientation Binder for NWT Board Members*.

In late 2005, the boards in the NWT formed a Northern Board Training Steering Committee to develop a Business Plan for submission to INAC seeking funds for orientation and training. The Department provided approximately \$300,000 towards training board members for the first time in fiscal year 2006/07, \$214,000 in 2007/08, \$300,000 in 2008/09, and \$200,000 in 2009/10.

A delay in awarding funds and a reduction in the amount of funding resulted in fewer courses being offered in 2009/10. However, with the use of board and INAC staff, a new initiative to advance board training was considered; this resulted in the development and delivery of an in-house technical workshop as well as the development of the new Orientation Course.

In early March of 2010, an Orientation Manual along with a Teaching Guide was completed by Terriplan Consultants and a pilot of the course was successfully held in Yellowknife. The pilot workshop included 20 Board members and staff and resulted in helpful fine tuning and finalization of the Orientation package. Both hard and electronic copies of the guides were provided to each board during this Board Forum.

The Orientation course will be recommended for all new Board members within a certain amount of time of their appointment and ideally within one year. [Note that this recommendation was accepted later in this Forum as an action under the Strategic Plan Goal #2]

In late February and early March 2010, Board members and staff had the opportunity to attend the Administrative Law course in their location of choice, Inuvik or Yellowknife. For 2010/11, \$300,000 has been identified for the Board Training Program. The NWT Board Forum Training Committee will be meeting to finalize proposed courses for this fiscal year. Below is a table of tentative courses for 2010/11 as well as tables of the courses and number of participants in the two previous years.

**Table 2: Board Forum Training Courses**

<b>Tentative Courses for 2010/11</b>	<b># of Participants</b>
Board Orientation (2 courses)	
Administrative Law / Board Governance (2 courses)	
Technical Session (Oil & Gas and Mining) (2 courses)	
Northern Oil & Gas and The Environment (Pembina)	
Hearing Skills	
<b>Total Participants</b>	<b>TBD</b>

<b>Courses Provided in 2009/10</b>	<b># of Participants</b>
Administrative Law (2 courses)	31
Pilot Board Orientation	14
Technical Session (Oil & Gas and Mining)	15
<b>Total Participants</b>	<b>60</b>

<b>Courses Provided in 2008/09</b>	<b># of Participants</b>
Written Communications (2 courses)	47
Finance and Administration (2 courses)	34
Administrative Law (2 courses)	43
Public Hearing Skills (2 courses)	28
Northern Oil & Gas and The Environment	17
<b>Total Participants</b>	<b>169</b>

## 3.0 Member Updates

Instead of a roundtable update provided by a representative of each Board, Chairs were asked to provide written updates that would form part of the record of this Forum. In the future, these written updates will be included in the binders provided to each participant at the beginning of the Forum meeting. Those written updates received are included in Appendix G. This approach frees considerable time at each Forum and is consistent with the input received from members over the past year through the development of the NWT Board Forum Strategic Plan.

## 4.0 Strategic Planning Session

A draft *NWT Board Forum Strategic Plan* was developed at the 10<sup>th</sup> Board Forum held in Hay River in June 2009. Forum members provided their individual updates at the 11<sup>th</sup> Board Forum in Norman Wells grouped according to the three Goals developed at the previous Forum. At this Behchoko meeting the members discussed and finalized the Strategic Plan including the components of Vision, Purpose, Goals and Values. This was accomplished over two days.

### 4.1 Finalization of Vision, Purpose, Goals and Values

On the morning of Day 1, attendants discussed in plenary the various elements of the Plan and suggested tentative changes. The results of that session were then transcribed overnight and the new text formed the basis for a subsequent discussion in plenary on the morning of Day 2. Following some fine-tuning, attendants agreed to the final text and those results are provided directly below and in Appendix F.

#### VISION

An integrated co-management system enabling effective management of natural resources in the NWT.

#### PURPOSE

We demonstrate ways to increase our collective knowledge and understanding, to deliver a continually improving process that produces effective environmental and regulatory outcomes.

#### VALUES

- Show respect and understanding of others
- Achieve Balance/Fairness/Impartiality
- Embrace change, diversity and interdependence
- Be inclusive, transparent and open in engaging others
- Show sensitivity to traditional and cultural elements
- Demonstrate quality and timeliness of action
- Respect the quality of the environment

**Goal 1:** A coordinated, sustainable, continually improving and publicly supported natural resource management system exists in the NWT.

**Goal 2:** Members of the Board Forum are knowledgeable and effective contributors to the resource management regime.

**Goal 3:** Communities, constituents and clients are consulted and informed in the pursuit of our goals.

## 4.2 Suggested Actions to Achieve Strategic Goals

On Day 2, and following some further discussion in plenary of the vision, members and chairs formed three breakout groups, each one tasked with identifying actions that could be taken by the Board Forum membership to achieve their strategic goals. Each breakout group was assigned one of the three goals and a brief strategy statement designed to help implement that goal. They were asked to identify a few specific actions that were realistic and achievable.

**Goal #1: A coordinated, sustainable, continually improving and publicly supported natural resource management system exists in the NWT.**

**Implement by: Monitoring, Tracking, and Evaluating Performance**

*Facilitated by Ricki Hurst*

The group first identified some examples of how monitoring, tracking and evaluation of performance are currently handled. These examples include MOU documentation, chairs reporting every six (6) months at the Board Forum, and the work one of the working groups set up by the Mackenzie Valley Land & Water Board.

The group then identified examples of issues, gaps, or lack of continuity in the process. These examples included thresholds on land use plans (identifying knowledge gaps; capturing work which leads to consistency and sharing) and lack of self evaluation or follow up processes.

The group identified two actions to be taken in regard to performance: The first is that the Board Forum should act as a single body to follow up on results of the NWT Environmental Audit and identify gaps and areas of consistency in coordination and sustainability. The second was to identify means by which the Board Forum can capture other issues (triggers/ thresholds in land use plans, strategic plans, etc.).

To achieve success in these proposed actions, the group determined that the best method for the Board Forum was to establish a working group to determine shared areas of interest. This working group would build/identify best practices/successes of boards, and communicate these successes.

**Goal #2: Members of the Board Forum are knowledgeable and effective contributors to the resource management regime.**

**Implement by: Ensuring Qualified, Effective Board Members and Staff**

*Facilitated by Liz Snider*

The first proposed action identified by the breakout group was to require Board Orientation Training for all new board members and staff within 12 months of appointment.

The second was to develop and implement a long-term Training Strategy. This strategy would include northern content training programs and resource materials developed by the Board Forum to meet the needs of NWT Boards.

The third proposed action was to improve the effective use of public funds by forming partnerships based on mutual interests such as training, MOUs, sharing information, and sharing resources.

**Goal #3: Communities, constituents and clients are consulted and informed in the pursuit of our goals.**

**Implement by: Undertaking Effective Consultation and Engagement**

*Facilitated by George Govier*

This break out group discussed various means of communicating with the public and aspects of consultation and engagement. The emphasis was on two way communication that includes listening, hearing and responding. There was also some discussion of the importance of Board Forum members speaking in one voice when needed; an example of this was preparation of a letter in response to the INAC Minister's Action Plan for Regulatory Improvement to be sent from the Board Forum to the Minister and/or to his appointed federal negotiator Mr. John Pollard.

The proposed actions identified by the group included:

- preparing a letter from the Board Forum to INAC Minister on the Action Plan to Improve Northern Regulatory Regimes
- posting the Training Manual on the Board Forum website,
- communicating with the public and stakeholders through news releases, and
- making the Board Forum Terms of Reference available to the public.

The group also suggested:

- mailing out information on Boards' contracts and procedures,
- arranging speakers from regional organisations to present at the Board Forum,
- encouraging members of RRCs and HTC's to attend northern Board Training, and
- establishing an outreach committee.



## Summary of Suggested Actions

<b>Goal 1</b>	<b>A coordinated, sustainable, continually improving and publicly supported natural resource management system exists in the NWT.</b>
	<ol style="list-style-type: none"><li>1. Follow up on results of the NWT Environmental Audit and identify gaps and areas of consistency in coordination and sustainability.</li><li>2. Identify means by which the Board Forum can capture other issues (triggers/ thresholds in land use plans, strategic plans, etc.).</li><li>3. Establish a working group to determine shared areas of interest and build/identify best practices/successes of boards, and communicate these successes.</li></ol>
<b>Goal 2</b>	<b>Members of the Board Forum are knowledgeable and effective contributors to the resource management regime.</b>
	<ol style="list-style-type: none"><li>1. Require Board Orientation Training for all new board members and staff within 12 months of appointment.</li><li>2. Develop and implement a long-term Training Strategy.</li><li>3. Form partnerships based on mutual interests such as training, MOUs, sharing information, and sharing resources.</li></ol>
<b>Goal 3</b>	<b>Communities, constituents and clients are consulted and informed in the pursuit of our goals.</b>
	<ol style="list-style-type: none"><li>1. Prepare a letter from the Board Forum to INAC Minister on the Action Plan to Improve Northern Regulatory Regimes.</li><li>2. Make a number of Board Forum documents available to the public through the website (Training Manual, Terms of Reference, contracts and procedures, etc)</li><li>3. Communicate with the public and stakeholders through news releases.</li><li>4. Arranging speakers from regional organisations to present at the Board Forum.</li><li>5. Encouraging members of RRCs and HTC's to attend northern Board Training.</li><li>6. Establishing an outreach committee.</li></ol>

## 4.3 Next Steps

It was agreed that in order to make these proposed actions more real and successful there would be follow-up between now and the next Board Forum in November, 2010. The Chairs of this Board Forum (Violet Camsell-Blondin and Willard Hagen) would work in consort with the chair of the next Board Forum (subsequently determined to be Gaetan Caron) to promote progress on the above action items. Reporting back on the status of the action items will also form part of the November Forum agenda.

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## **5.0 Board Forum Terms of Reference**

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A review of the Board Forum Terms of Reference is a standing agenda item at the Board Forum. After some discussion it was agreed that the wording of the first bullet under *Objectives* may need to be updated in accordance with the updated Strategic Plan document. Members were asked to submit comments, keeping in mind the Strategic Planning discussion that took place during this Forum. Eric of BRS-INAC offered to lead, with the help of the Working Group of Executive Directors, to modify the ToR accordingly for consideration by members at the November Board Forum.

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## **6.0 Discussion and Presentations by Aboriginal Leaders**

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For this 12<sup>th</sup> Board Forum, and for the first time, Aboriginal Organizations throughout the NWT were invited to attend the Forum to participate in a discussion and to convey any concerns or questions about the Northern Boards and development in the NWT. Despite some unfortunate schedule conflicts, a number of Aboriginal Leaders and community members attended the Forum. During the afternoon of Day1, Grand Chief Joe Rabesca and Chief Charlie Football spoke to the Forum. Welcoming remarks by the Board Forum Chair, Violet Camsell-Blondin and the presentations by the Chiefs were transcribed from the Tłıchô language into English as follows:

### **6.1 Welcome from Violet Camsell-Blondin**

Violet Camsell-Blondin introduced the Board Forum and provided an overview of the importance of having Aboriginal leaders involved in the Forum. She noted that many of the Board members are aboriginal and the Boards represent aboriginal people. We have a lot of regulatory regimes in the NWT and many nationalities here, and this is a chance to work together. It is important for all participants to have input in the future. There are different memberships in the NWT and a lot of members here at the Board Forum represent them. She stated that, “If you live here, this is for you”.

For major activities (such as gas pipelines) that take place in the future, we have mechanisms in place and the regime here is practiced in many places. We don’t want to do all the work for you; we want to hear your voice. We have a lot of regional memberships and we ask questions about ourselves; including the question, “are we representing the people who support us?” We would very much like to hear directly from you.

### **6.2 Tłıchô Grand Chief Joe Rabesca**

Mr. Joe Rabesca stated: I used to sit on the WRRB and a water board. When I was on these boards I talked to the Chiefs, and now it’s the other way around. Thank you for letting me represent the Tłıchô region today. I remember working with the boards in the past and it was a good relationship.

The land claims have set things up, but there are still challenges down the road ahead. There is a lot of resource exploration and our relationships will continue to help us manage resources on our land. We have seen a lot of changes as leaders and elders helped settle our claims. A lot of members work on a claim; we talk to our elders and learn about our past and how they managed the land.

Meeting with ministers in Yellowknife, they spoke about the change proposed to the boards – we weren't invited, but we went there anyway to listen to what they had to say. When we were negotiating our claim, we met with all levels of government and we stated that we are capable of making decisions about our land and any changes can be discussed with everyone at the table.

When I was elected Grand Chief, the elders asked me about how we will live in the future, and I agree that the land claim will be what we live by and we will have input into any changes. We agreed to the land claim and celebrated the agreement between levels of governments. We hear from the minister that they will amalgamate the boards, and I thought this would mean opening the land claims, but they say this won't happen. I am sceptical about future changes because of this.

I would like to sit with other chiefs and discuss these proposed changes. As a regional Grand Chief I have to talk to other regional Grand Chiefs and work something out between councils. If the federal government wants to make changes, they will have to speak to us about it.

We have good representation here with the Boards and we don't want to stop activities, but we need the process to work for us. We look at the Gulf of Mexico and we don't want that sort of disaster happening here; we have to be cautious with development and be patient. We need to come up with a system where we work together and are cautious about development – especially with abandoned mines and the sites that we are cleaning up. There is a lot of land and a lot of potential money, but we need to think about potential disasters as well.

Regarding caribou we, as Tłı̄ch'ı̄ regional chiefs, are working with the GNWT-ENR to save the caribou and we have a working relationship.

This type of presentation is good to share with communities – if the Board Forum has concerns, we are here; and if we have concerns, we hope you will be there as well. Development creates jobs, so we aren't an enemy of it. We hope to work together with you.

### **6.3 Wekweeti Chief Charlie Football**

Thank you for having me here today. I am in my second term as Chief of Wekweeti, and I have met with some of you before. There are a lot of activities in my region that I have seen – hydro, etc. We can't make everyone happy, but we need to serve the interests of the majority.

I would like to see an increased relationship between us and the oil sands; when we went to Northern Alberta we saw the tar sands and their effect on rivers and lakes and the concern about tailings ponds leaking and running down to Great Slave Lake. It made me wonder about those relationships and even though they are outside of the NWT, it made me think of here.

A lot of development creates problems for the environment and our concern is pollution. If we let development get out of hand, there's then nothing we can do about it. We need to have things in place to prevent pollution.

We don't want to spend our time pointing fingers; we want to work together.

## 6.4 Final Remarks

Violet Camsell-Blondin thanked the Chiefs for their participation and noted that Board members look forward to speaking to them in the future. Richard Edjericon noted that he hoped those present from INAC will pass on the words of the Chiefs to John Pollard [Federal Negotiator on Action Plan for Regulatory Improvement] and others.

## 7.0 Presentations and Updates

During the two days of the Board Forum, there were a number of presentations and updates on matters of interest to the Boards. The following presentations were provided:

❖ Regulatory Improvement Initiative	Stephen Traynor, INAC
❖ NEB Review on Offshore Drilling	Gaetan Caron
❖ NPMO	Kate Hearn and Stephen Van Dine, INAC
❖ Water Stewardship Strategy	Jane McMullen, GNWT ENR
❖ CIMP Update	Marc Lange, INAC
❖ NWT Environmental Audit Update	John Peters, SENES Consultants
❖ Framework for Determining Public Concern	Martin Haefele, MVEIRB

Each presentation is summarized below, along with key discussion points. Copies of all available Power Point presentations are found in *Appendix D*.

### 7.1 Regulatory Improvement Initiative – Stephen Traynor, INAC

Stephen Traynor, of INAC, presented an update on the Government of Canada's *Action Plan to Improve Northern Regulatory Regimes* as announced by Minister of INAC Chuck Strahl in May, 2010. Mr. Traynor discussed the background behind the Action Plan, the objectives and approach outlined in the Action Plan, how the federal government plans to implement change in the NWT, and the next steps for

achieving the objectives. Mr Traynor also introduced Mr. John Pollard, who has been selected as Canada's Chief Federal Negotiator (CFN) on the Action Plan.

The main objectives of Canada's *Action Plan to Improve Northern Regulatory Regimes* are to consider Canada's role in Northern development, reduce complexity in the regulatory regime through improving predictability and efficiency, consider regulatory improvement while respecting settled land claim agreements, and build a climate where review, evaluation and improvement are seen as integral to the system.

Mr. Traynor then discussed the motivating factors for change in the regulatory system (Figure 1).

Figure 1: **Motivating Factors for Change**



He explained how the federal Budget 2010 provides funding for reviewing and streamlining the northern regulatory regime, and to support community-based environmental monitoring in the North.

The announcement of Canada's Action Plan was made by Minister Strahl on May 3, 2010. The main components of the Action Plan are strategic regulatory change (restructuring the land and water board system in the NWT), legislative change (amending and updating some northern Acts and regulations), and focusing on environmental management through monitoring programs.

In regard to restructuring the land and water boards, Canada has appointed John Pollard as the Chief Federal Negotiator (CFN) to negotiate the consolidation of the four NWT land and water boards into a single board, and to engage with the Inuvialuit to negotiate a land and water management system for the entire territory.

In order to implement change in the NWT, Canada intends to make amendments to the *MVRMA* and the *NWT Waters Act* as well as introduce *NWT Surface Rights* legislation and an enhanced Community-

based Cumulative Impacts Monitoring Program (CIMP) in the NWT and a comparable program in Nunavut.

Potential MVRMA amendments include consideration of the extent of the exclusive jurisdiction of the NWT Supreme Court in terms of Boards established under the MVRMA, and consideration of the best ways to protect Board members and employees. Additional potential MVRMA amendments would clarify terms, enact timelines, and eliminate duplication to ensure better certainty and predictability in the NWT regulatory system. Any amendments would also consider the restructuring process being undertaken by CFN John Pollard.

In terms of the NWT Waters Act, the potential amendments include those required to:

- Modernize the Act
- Better reflect the Northwest Territories Water Board's jurisdiction
- Bring the Act in line with the *MVRMA* in relation to Board structure and appointment of its members
- define the Board's jurisdiction as the Inuvialuit Settlement Region (except the Yukon portion)
- Identify the location of the main office as being in Inuvik, with a separate office in Yellowknife
- Provide for the Minister to consult with the Inuvialuit on any amendments to the Act or its regulations
- Allow the Minister to approve the amendment, renewal, suspension or cancelation of a licence
- Provide for all policy directions given by the Minister to be published in the Canada Gazette
- Address ambiguities, duplication and inconsistencies in this Act and within the regulatory regime

The proposed *Surface Rights* legislation is based on obligations for Surface Rights Boards found in the Gwich'in and Sahtu comprehensive land claim agreements. The new Board would provide a single process for dispute resolution. The legislation would improve timely access to subsurface resources and increase the predictability and consistency of the regulatory regime.

The NWT CIMP Working Group is a partnership among NWT Aboriginal Governments and organizations, the Government of Canada and the Government of the NWT. Increased funding for CIMP will encourage community-based monitoring and capacity building and provide resources to fill any gaps in current monitoring activities. The funding will also enable a report on the health of the environment, which in turn will help with better decision making to protect the environment and include both scientific and traditional knowledge. CIMP funding will also help coordinate monitoring and reporting in the NWT. [Note that further detail was provided later in the agenda by the CIMP Manager Mr. Marc Lange].

Mr. Traynor described the next steps for INAC: to continue to engage partners and stakeholders in consultation over new legislation or policy and to implement recommended policy options through legislative or operational change. In drafting new or amending existing legislation, INAC will uphold the honour of the Crown and fulfill Canada's fiduciary responsibilities in negotiations and consultations with northern aboriginal Governments and land claimants.

## **7.2 NEB Review on Offshore Drilling – Gaetan Caron, NEB**

Gaetan Caron, Chair of the National Energy Board, spoke about the increasing public interest in the BP oil spill that recently occurred in the Gulf of Mexico. He announced that the Board is conducting a public

review of arctic safety and environmental offshore drilling requirements. The review is to support the ongoing implementation of the technical requirements for conducting offshore drilling under the *Canada Oil and Gas Operations Act* in compliance with the *Canada Oil and Gas Drilling and Production Regulations*.

The review will engage industry and the public in examining the best available information concerning the hazards, risks, and mitigation measures associated with offshore drilling activities in the Canadian Arctic. It will also review the measures to both prevent and respond to accidents and malfunctions. The results of the review will be incorporated into the examination, by the Board, of future applications for offshore drilling in the Arctic. The scope of the review will include:

#### **Drilling safely while protecting the environment**

- ❖ Hazards and risks in conducting Arctic offshore drilling;
- ❖ Effectiveness of measures employed to prevent and mitigate the risks associated with such activities;
- ❖ State of knowledge on the Arctic offshore including the physical environment, biological environment, and geosciences;
- ❖ And effectiveness of available well control methods.

#### **Responding effectively when things go wrong**

- ❖ State of preparedness to respond to drilling accidents and malfunctions in Canada's Arctic offshore;
- ❖ Options for regaining well control
- ❖ Effectiveness of available spill containment and clean up options;
- ❖ Financial spill clean up, restoration, and compensation for loss or damage;
- ❖ And state of knowledge of long term impacts of a spill on the environment, way of life and communities in Canada's Arctic.

#### **Learning**

- ❖ Lessons learned from major accidents and malfunctions, particularly those relevant to northern offshore environments.

#### **Filing Requirements**

- ❖ Information to be required from an applicant seeking authorization to drill an offshore well.

Mr. Caron concluded by noting that the NEB would be holding public meetings in the NWT and referenced the material provided in the Board Forum participant binders describing the process and scope of the NEB review (included in Appendix D of this report).

### **7.3 NPMO – Kate Hearn and Stephen Van Dine, INAC**

Note that this presentation was given on the second morning of the Behchoko Board Forum (June 16, 2010), and Mr. Stephen Traynor's presentation on the Regulatory Improvement Action Plan was given during the first morning of the Forum (June 15).



Stephen Van Dine, of the Northern Project Management Office (NMPO) of the Canadian Northern Economic Development Agency (CanNor), made a presentation on the role of the new NPMO in the NWT. He also described how the office might work with the northern Boards to jointly and collectively help improve the regulatory process. He included a brief history of the development of the NPMO and summarized hopes on what could be achieved through the Office's activities in Canada's north. The NPMO, which opened in May 2010, was established under CanNor which was formed in 2009. The office is being designed to coordinate federal involvement in northern projects and offer a single point of contact for proponents and other clients.

Headquartered in Iqaluit, CanNor reports to Parliament through the minister of INAC and the minister of the Canadian Northern Economic Development Agency, which is not part of INAC, but is a separate agency with its own deputy minister. The NPMO component of CanNor is headquartered in Yellowknife, and acts as major project coordinator in each territory with a liaison office in Ottawa led by Mr. Van Dine.

The NPMO will support economic development by coordinating federal responsibilities related to northern projects, provide assistance and advice to proponents, and hold the federal government's record of Crown consultation. Through these responsibilities, the goal of the NPMO is to improve predictability and timelines in project review, increase federal transparency, and integrate project management across the federal system.

The NPMO opened its doors on May 3, 2010 and plans to actively engage the following partners: federal departments in the three territories (including deputy ministers and director generals) as well as the NEB, Boards in the Yukon, Mackenzie Valley and Nunavut, territorial governments, and industry (e.g. CAPP, CEPA, and NWT & Nunavut Chambers of Mines as well as individual resource companies like Shell or Diavik).

NPMO projects are located - or partly located - in Nunavut, the NWT, the Yukon, or in offshore waters. The "major" projects to be considered by the NPMO are comparable in scope and complexity to those in the south reviewed in a CEAA comprehensive study or panel review. As part of its mandate, the NPMO will provide advice and guidance to proponents and stakeholders, which will be available for all projects. In its first year of operation, the NPMO will focus on mineral and oil and gas projects and will hold the Crown consultation record. The NPMO is considering adding infrastructure projects and additional responsibilities in the future.

To achieve its goals, the NPMO will use tools modified from the Major Projects Management Office (MPMO which is responsible for major projects south of 60) such as MOUs, project agreements, an electronic project tracker, and established operational procedures. Project agreements would include milestones and timelines for coordinating federal departments' input into the EA process and issuing regulatory approvals. The NPMO will be integrated through the MPMO deputy ministers committee, and will be held accountable to those ministers for meeting service standards and timelines. The NPMO will also be responsible for analysis and recommendations on project processes issues. .



The next steps for the NPMO are to work closely with federal departments over the summer of 2010 to develop its tools. A draft MOU will be circulated for comment in June 2010, operational procedures and a Crown consultation record template (and guidance document) will be initiated over the summer, and the NPMO Office Tracker will be available by fall 2010. A working group of northern and headquarters officers will develop templates over the summer for each territory, and the first project agreements will be signed before the end of the year.

After the presentation by Steve Van Dine and Kate Hearn, members and chairs formed into three breakout groups, each tasked with responding to one of the three questions raised on the final slide of the NPMO presentation. Those questions were based on the three goals of the NWT Board Forum Strategic Plan.

### **NPMO Question #1:**

**How could Boards and NPMO support each other in achieving the effective management of natural resources in the NWT through quality and timely EAs and regulatory reviews?**

*Facilitated by Ricki Hurst of Terriplan Consultants; NPMO Knowledge provided by Gaetan Caron (NEB)*

Much of the discussion by this breakout group was to better understand the role of the NPMO and to list the potential advantages to the northern regulators of having such an office. First, there is a need to reduce duplication of processes. NPMO has a mega-projects focus and provides more team members and staff overall. NPMO is timely, and seeks to increase capacity for large projects; for example, avoiding the situation of one (1) staff member handling more than ten pages of deficiencies (an example during the MGP review used by one of the northern boards), which slows the overall regulatory review process.

The NPMO would provide application assistance to a proponent from start to finish of developing and reviewing its project; most proponents want to know what they should be doing and need assistance to ensure their process is correct. The NPMO can help focus proponents to reduce time and wasted effort in applications; NPMO resources can help make sure an applicant understands what Boards need. The NPMO can also provide assistance to Boards to help with screening for any big project.

There was some discussion of concerns and issues which are listed below:

- the burden caused by lack of resources/accessing funds
- the need for information and a forum for strategic decisions and direction
- the distribution of resources, including why wouldn't the Board Relations Secretariat (BRS), which is now housed in INAC, become part of NPMO? (Otherwise it seems redundant)
- the size of another coordinating office; could this be "using a hammer to kill a mosquito"

In response to the latter concerns there was the suggestion that these could be addressed in part with a project list of major projects in the North, and by addressing projects only by exception at Deputy Minister level (i.e. those projects that need action).

There was more discussion of proven value of the MPMO in the south and how it might apply in the north:

- Deputy Committee gives the rare opportunity for a project to be on their radar monthly in Ottawa

- this means unprecedented access to the most senior officials and provides an 'ALERT' role
- this can mean the opportunity to highlight the need for more resources
- the NPMO could communicate what is happening at the Board level to the MPMO in the south

Another benefit the NPMO could provide is a one window approach for the Federal Government to communicate the needs of the Boards in the north to Ottawa and all federal departments. It was also asked if this will help with involvement of other governments (e.g. GNWT).

The NPMO could also be involved in trans-boundary projects and potential effects. Now that the MPMO is up and working in the south, the NPMO will connect to MPMO and help with linear and trans-boundary projects like roads or pipelines.

Finally, the federal government will be better informed about gaps; the NPMO can be used to help by saying, "We need you to do this". For example, for a Mackenzie Highway to the Beaufort, there would be a collective mechanism to look at the state of knowledge and what will be needed for an EA and regulatory review. Then, there would be the collection of individual small applications that need certain knowledge. Lessons from JRP show the need for increased understanding all around of the process.

The breakout group concluded that there could be many advantages to the NPMO and Board Forum working together, with the assumption that the Boards' partnership with NPMO does not take money and time away from their day-to-day jobs.

### **NPMO Question #2:**

**What are some opportunities and challenges to working together on a day-to-day basis, and what specific tools and processes could be developed to help in these circumstances?**

*Facilitated by Liz Snider (EIRB); NPMO Knowledge provided by Kate Hearn (NPMO)*

The breakout group broke the question down into its components and responded according to each of the following categories: Opportunities, challenges, tools, and processes.

Opportunities for working together include having NPMO sharing information within the Board Forum; the NPMO helping to provide a unified federal response (e.g. at Board EA's and Regulatory Reviews). The group also identified the potential for a mineral development advisory group to enhance coordination in advance, and to coordinate activities and risk assessment. The group also identified opportunities to establish a 'Life of Project Coordination System' and to coordinate federal consultation on NWT projects.

Challenges to working together included timeliness of responses, and the need to create set timelines for responses. Capacity was another challenge as well as drawing in other players (such as the GNWT). There could also be issues surrounding enforcement and monitoring. Another challenge identified was a recurring lack of support from the federal government when Boards are challenged. A final question was who determines the adequacy of crown consultation?

Tools identified by the group include setting proponent timelines, providing constant updates, having the NPMO take the Board Forum training courses, and providing more resources for information sharing – particularly information about what is happening in other jurisdictions.

Processes that could improve the current circumstances include setting timelines and having more federal support, maintaining a consistent and regular day-to-day relationship with NPMO, and establishing joint working groups.

### **NPMO Question #3:**

**Can you suggest some techniques and approaches towards building the relationship and working together to improve public confidence in quality and timely EAs and reviews?**

*Facilitated by George Govier (SLWB); NPMO Knowledge provided by Stephen Van Dine (NPMO)*

The group noted that timeliness are crucial to establishing confidence in the regulatory system and its processes. This includes open and transparent communication and timely board appointments. NPMO was identified as a resource and any future relationship should include the attendance of NPMO at the Board Forum. Another useful strategy would be project agreements or MOUs between the NPMO and the Boards and establishing a Project Tracker that could be used by all parties to have up-to-date access to a project's status. The group discussed the advantages of sharing other software and procedures for permit application and review.

Regarding economic development, the group suggested making the NPMO a review organization for preliminary screening and for land use permits and water licences.

The group identified training and capacity building as priorities, with the NPMO acting as an advocate for training funds.

Utilizing the existing MVLWB working groups to develop products and achieve results was also identified.

Finally, the group noted the NPMO's potential role in Crown Consultation, especially regarding determination and evaluation of the completeness of consultation.

## **7.4 Water Stewardship Strategy – Jane McMullen, GNWT ENR**

Jane McMullen, of GNWT ENR, presented on the NWT Water Stewardship Strategy, which was described as providing a comprehensive context for water stewardship decisions in the NWT. Ms. McMullen described how the Strategy advances the interests and rights of Northerners through boards and agencies closely working together, and strengthens the NWT's position towards negotiating trans-boundary water agreements. The strategy also allows residents to take steps today to ensure NWT water is clean, abundant and productive for future generations.

Partnership and collaboration have been key components of the Strategy's development and will be a key focus of its implementation. Aboriginal partnerships continue to emerge through Water Gatherings. Building with these, ENR and INAC held a WaterWise forum and have continued to work in partnership to develop first a Discussion Paper (published in June 2008), then the Draft Strategy (November 2009), and this Final NWT Water Stewardship Strategy (May 2010). The process has been well guided by the Aboriginal Steering Committee, formed of designated representatives of 7 Aboriginal governments. Members are listed in Appendix C of the Strategy.

Ongoing input from the public, Aboriginal leadership, communities, industry, environmental organizations, and resource management boards has been fundamental in shaping the Draft and Final Strategy. Regional and community meetings, as well as a series of workshops focused on different topics (including traditional knowledge, information sharing, and strengthening partnerships) provided the direction for the Draft Strategy. Public and Aboriginal engagement since the release of the Draft Strategy, helped the Strategy evolve into what you see today. Ongoing input will be required during the development of the Action Plan over the summer and fall of 2010.

Communities are concerned about their drinking water and their waste water; while industry wants to be sure their access to water resources is sustained particularly in light of an emphasis on aquatic ecosystem health. People want a way to have upstream resources not affect them. Communities want to be involved in research & monitoring and want solid, accessible knowledge to make decisions.

With the main concerns raised and discussed, a common path forward was shaped. The Strategy sets out a common vision, goals, principles, and a course of action (defined in the Strategy itself as Keys to Success) for governments, resource boards, industry, and residents to undertake water stewardship. The vision of the Strategy is: *The waters of the Northwest Territories will remain clean, abundant and productive for all time.* The goals focus on ensuring:

- ❖ our waters don't change in quality or quantity as they flow into and through the NWT;
- ❖ drinking water is safe, clean and plentiful;
- ❖ aquatic ecosystems are healthy;
- ❖ water sustains communities and economies;
- ❖ residents are knowledgeable about water stewardship; and
- ❖ we work together to communicate and share information

The guiding principles of the Water Strategy respect values and various lifestyles, and also respect Aboriginal rights, treaties and land claims. Also important is sustaining healthy and diverse aquatic ecosystems and maintaining the ability of current and future generations to choose, thereby maintaining collective responsibility. The principles also account for making decisions based on accurate and up-to-date traditional, local and scientific knowledge and ensuring that as knowledge evolves, stewardship decisions evolve. The strategy aims to ensure that lack of certainty is not used as a reason to postpone effective measures to avert potential threats, and that those making informed, transparent and participatory decision making are accountable for the consequences of those decisions.

For each of the following areas the Strategy describes what “we” in the NWT are doing already and what needs to be done to improve water stewardship in the NWT.

### **Work Together**

Develop a cooperative working environment for water partners and implement collaborative planning to address capacity issues. Also, use the best available knowledge to help inform all water partners. Finally, continue ongoing communications, awareness and engagement among water partners and with the general public.



### **Know and Plan**

Collectively develop comprehensive monitoring and research programs to understand ecosystem health and diversity and ensure communities have the opportunity to be actively involved and collaborate on research, monitoring and initiatives. We also need to develop consistent approaches to research and monitoring that will increase our ecosystem understanding, and report any research and monitoring results. Finally, there is a need to advance trans-boundary discussions, agreements and obligations.

### **Use Responsibly**

Develop and update guidance and policy documents for water partners to ensure consistent, transparent stewardship actions and decisions, and routinely evaluate current legislation and regulations and amend as required to ensure they effectively achieve their intended purpose. Also, ensure water managers have the capacity to fully promote compliance.

### **Check Our Progress**

Conduct comprehensive evaluations of the Strategy’s implementation progress

The next steps are to develop with water partners an Action Plan for implementation and begin that implementation.

Input from the Board Forum input is valuable. In much the same way as the Strategy was developed, through meetings and workshops, we will be asking for your input. If you have some ideas in mind, or want to identify your agency as willing and able to contribute to a specific Key to Success, please don’t hesitate to get in touch.

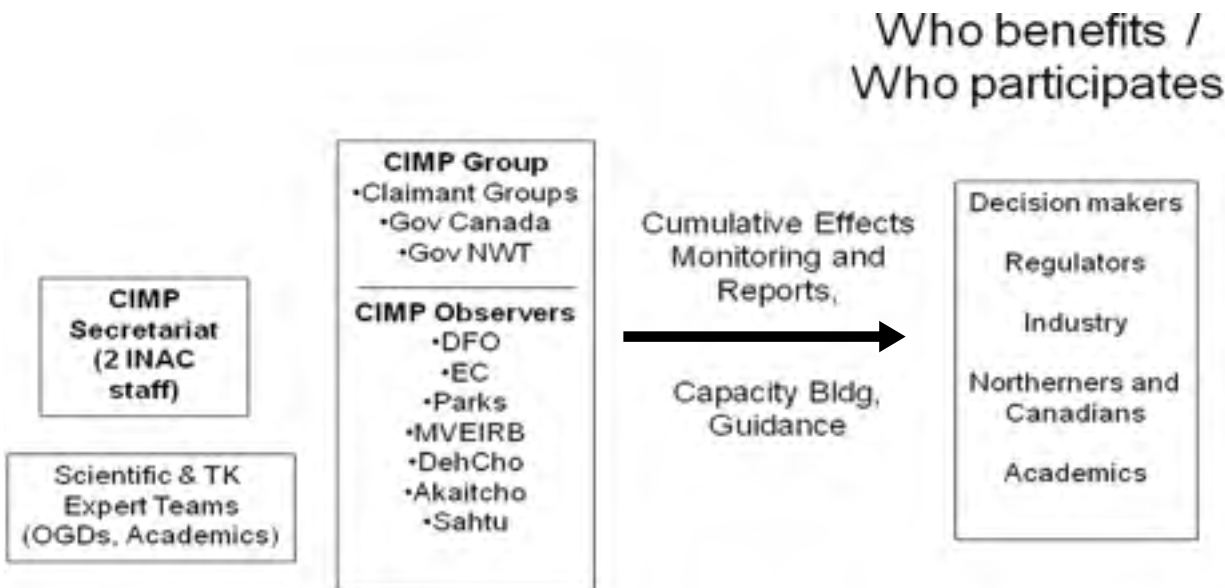
## **7.5 CIMP Update – Marc Lange, INAC**

Marc Lange, Manager of E&C-INAC, presented on the progress of the Cumulative Impacts Monitoring Program (CIMP). Marc introduced the key messages of the presentation as being that CIMP can do something for the Boards; by helping with decision-making and delivering on monitoring guidelines for VCs or Project Activities.

CIMP's basic goals are "to watch and understand the land and to use it respectfully forever". This expression was originally used by an Inuvialuit involved in research. "To watch" implies monitoring, which is conducted using western science and traditional knowledge. "Understanding the land" implies that information is analysed so that a story can be told. "Using the land respectfully" implies that the knowledge gained from monitoring and analysis is acted upon by decision makers.

One attempt to address the multiple needs related to science and environment in the NWT context is manifested in the Cumulative Impact Monitoring Program (CIMP), a concept enshrined in several NWT land claims and resource management acts. The program continues to seek support for implementation. The program involves representatives from all claimant groups in the NWT and the Federal and Territorial Governments.

CIMP is an NWT based environmental monitoring system designed to fill environmental information gaps, ensure community focus, assess development effects and report in a manner relevant to northerners. CIMP will incorporate both scientific and traditional knowledge and is considered one critical tool in achieving improved baseline information to ensure that responsible economic development occurs in the context of sound and adaptive environmental management in the NWT.



Mr. Lange continued to describe how the NWT environment is complex and that most resource management problems require some understanding of how the environment functions. Under Part 6 of the MVRMA, CIMP mandates high quality, robust environmental data sets that must be strategically developed (based on priority themes of regions) and maintained as a foundation for management decisions, so that the baseline against which project specific impacts are to be calibrated can be accurately estimated and the cumulative impacts of environmental change can be measured.

Who is CIMP? There are eight (8) claimant groups as well as INAC, GNWT, and MVLWB who provide high level guidance – what is important to decision makers – and link to regional (claims) needs. Technical groups (OGDs and academics) focus on Valued Components (VCs) and develop technical

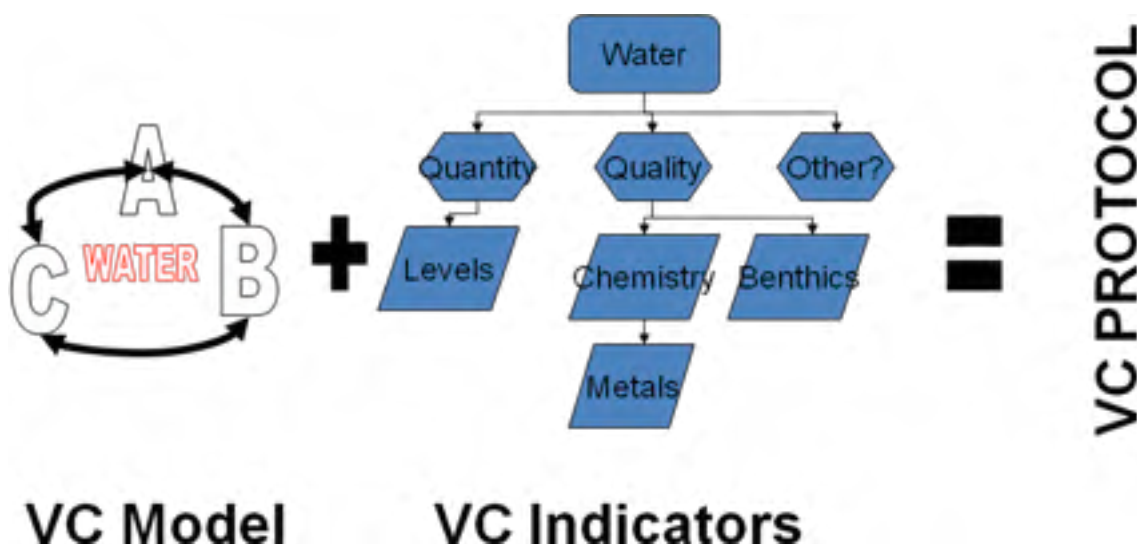


aspects with respect to monitoring protocols (for all levels of monitoring), designating indicators and monitoring design.

All these groups participate in identification of information gaps, accessing program funds to conduct monitoring and research related to cumulative effects, accessible information for EA, and guidance for monitoring design. Quality environmental information, with analyses and interpretation at regionally relevant scales, addresses significant issues.

To date, CIMP has set up a Northern CIMP governance structure that includes claimant groups, the Government of Canada, the GNWT, and regulators, scientists, etc. Small scale pilot projects have supported and implemented over 160 community monitoring projects so far. The need for cumulative impact monitoring is now broadly accepted, and Canada's Budget 2010 allocated \$8M over 2 yrs for CIMP and NGMP (the CIMP equivalent in Nunavut).

The CIMP will continue to develop guidance and protocols pertaining to monitoring, analysis, and reporting, and encourage the use of CIMP-approved protocols by decision makers. CIMP also plans to continue to leverage relevant programs that include monitoring (industry, government, OGD, and academia) as well as capacity building programs Canada wide. CIMP will continue to build capacity for analysis and reporting, and help with decision-making within regulatory and environmental assessment, land-use planning, thresholds, limits of acceptable change and state of the environment reports.



The model above shows the relationship between compartments for a particular VC as well as indicators that affect each compartment of a particular VC. Protocols will also be developed for monitoring and analysis. Together, these three will form a common set of tools for everyone to use to achieve a common goal.

CIMP intends to accomplish this work using a complement of working groups, seminars, and symposiums, using our made in the north CIMP governance structure, and supplementing this with special advisory

boards consisting of TK and Scientific experts. The goal is to produce world-class monitoring programs and publish the “CIMP tool set” in peer-reviewed literature.

With these protocols, regulators will be able to develop compliance and effects monitoring programs and Baseline monitoring Programs which are conducted by governments. Communities will be able to incorporate their information into a common infrastructure to aid in decision-making. Communities will also have a common set of tools to monitor changes in their back yard. Lastly, industry will have consistent practices which they can rely on to predict what they need to do to meet regulatory requirements.

CIMP is designed to reduce costs to industry by providing baseline data from numerous sources which is digested and analyzed, and reducing the burden of baseline data collection. CIMP also aims to provide more regulatory certainty through pre-assessed impacts, analysis and reports, and CE products, as well as pre-emptive CEs to regional EAs. The end result will be an increase in consultation certainty based on community-based monitoring, strong and robust community engagement and empowered communities connected to decision making.

## 7.6 NWT Environmental Audit Update – John Peters, SENES Consultants

John Peters of SENES Consultants presented an update on the NWT Environmental Audit. The objectives of the audit are to examine the effectiveness of the regulatory regime to protect key environmental components from significant adverse impacts, the status of and trends-in environmental quality, including human health and community wellness, any responses to recommendations made in the previous (2005) audit, and the effectiveness of cumulative impact monitoring.

So far, SENES has circulated more than one-hundred and seventy (170) questionnaires to federal, territorial and First Nations governments, First Nations agencies, NGOs, industry, and co-management boards - and over forty (40) responses have been received. In addition to the surveys, community meetings were held in Łutsel K'e, Norman Wells, Inuvik, Fort Good Hope, Fort McPherson, Fort Smith and Whati. Community meetings are planned for Yellowknife, Hay River and Fort Simpson. Finally, interviews with a number of organizations (see below) began in May and will continue through June.

❖	LWB, LUPB	
❖	INAC	(both completed and planned)
❖	GNWT	(both completed and planned)
❖	First Nations	
❖	RRC/RRB	
❖	ENR	(both completed and planned)
❖	DFO	
❖	Proponents	(planned)

SENES has experienced some challenged in completing the Audit, including late submission of questionnaires (likely will require follow-up queries) and low public turn-out at open houses. Another



complication to the process was Minister Strahl's appointment of the Chief Federal Negotiator [John Pollard], and lack of input from proponents.

During the presentation, SENES provided the following list of Focus Issues:

- ❖ Board initiatives / improvements
- ❖ Funding (Board and community/intervener)
- ❖ Orphaned measures and suggestions
- ❖ Regulatory gaps
- ❖ Timeliness of approvals process
- ❖ S. 35 duty to consult and accommodate
- ❖ MVRMA implementation gaps
- ❖ "System" performance between settled and unsettled areas

A draft report of the Audit will be released in September 2010 and the information will be summarized in two pieces: *Audit Report* and *Status of the Environment Report*. Final reports are to be submitted to the Audit Sub-Committee by December 31, 2010 and to date, the Audit is on-schedule.

## 7.7 Framework for Determining Public Concern – Martin Haefele, MVEIRB

Martin Haefele, MVEIRB, gave a presentation on approaches for deciding whether a proposed development is "likely to cause significant public concern". Martin discussed the definition of public concern, outlined the current process used during environmental impact assessments in Canada's Mackenzie Valley and presented a framework for a possible future guidance document.

The environmental impact assessment regime in the Mackenzie Valley consists of three levels: preliminary screening, environmental assessment, and environmental impact review (panel review). MVEIRB is the main instrument in the Mackenzie Valley for environmental assessment and panel reviews.



Despite its widespread use, the term "public concern" does not appear to be defined very well. While both the *Mackenzie Valley Resource Management Act (MVRMA)* and the *Canadian Environmental Assessment Act (CEAA)* use "public concern" as a trigger for greater scrutiny, neither defines "public concern" or "public" or "concern".

Defined very broadly, a group of people taking note of a project may constitute significant public concern. Defined very narrowly, there may be no significant public concern unless the "whole nation is in an uproar". The courts, as well as the Review Board in its own practice, have set limits on the range of possible definitions as outlined in the guidance document framework section below.

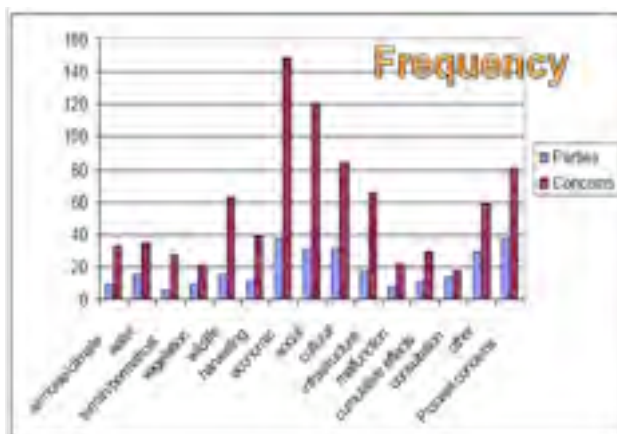
MVEIRB undertook a review of available publications for determining the significance of public concern or the likelihood of possible public concern caused by a proposed development. Initially, this review focused on readily available documents and found several that included advice on involving the public in the

process, but only one with advice on how to gauge the level of concern. Public concern frequently leads to higher-level environmental reviews, yet very little published guidance exists on how to gauge the level of public concern, or how to determine when a proposed development is likely to cause significant public concern.

In December 2003, MVEIRB initiated an EA of the proposed Mackenzie Gas Project (MGP). Following a series of public hearings, MVEIRB concluded that the proposed development was likely to cause significant public concern and ordered an environmental impact review. Before this decision, MVEIRB held multiple hearings in different communities and actively solicited written submissions from the public. All public hearings followed the same agenda and format making the results comparable.

In gauging the level of public concern for the Mackenzie Gas Project (MGP) environmental assessment, MVEIRB determined the likelihood and significance of public concern only after considering all of the following criteria:

- ❖ *Frequency of concern*: the frequency with which participants raised a particular issue, like impacts on wildlife.
- ❖ *Geographic distribution*: whether a concern was limited to one region or widespread across multiple regions.
- ❖ *Source*: the Review Board weighted a concern brought forward on behalf of a large potentially affected group, e.g. the residents of a municipality, more than concerns of an individual.
- ❖ *Severity of concern*: in addition to the severity or magnitude of the potential impact a concern was based on, the Review Board considered the extent to which an organization or individual went to express the concern, e.g. by incurring considerable costs to participate in a hearing.



In 2006, MVEIRB conducted an EA of the proposed Gahcho Kue Project. Given the relatively large size of the project, the MVEIRB employed a similar strategy as for the MGP. While MVEIRB once again conducted an extensive public participation process, it relied not only on public hearings but on a combination of separate staff-managed technical and community scoping workshops and technical and community hearings. Also, in this instance, MVEIRB emphasized prioritizing issues by the parties in an

attempt to focus any subsequent environmental assessment or impact review on the most important ones.

These are two successful examples of using multiple, rational criteria to assist in deciding whether a development is likely to cause significant public concern. In both cases only the combination of all indicators convinced MVEIRB that the proposed development was likely to be cause for significant public concern. In both cases MVEIRB developed the criteria prior to making a decision but after gathering the evidence. The decision to order a panel review for Gahcho Kue was tested in court in response to a legal challenge and was upheld.

A commonly accepted and widely used method to determine whether a development is likely to cause significant public concern does not exist in Canada. The relevant legislation does not provide much guidance or limitations, and courts have not addressed the issue to a great extent. Better guidance on this subject could result in a clearer distinction between projects that are adequately assessed through a mid-level environmental assessment and those that require a full panel review.

Regarding criteria, a Board must base its decision solely on evidence in the public record. This evidence can fall into three broad categories derived from the MVEIRB's experience: amount or frequency, distribution, and nature of concern. Generally, MVEIRB requires evidence of actual public concern being present, rather than just an expectation that a proposed development will raise concern in the future.

The amount and frequency of concern refers to the number of times specific concerns are expressed, but also to the number of people or organizations participating in meetings and hearings. It also includes a consideration of the level of effort by the relevant public to express its concerns. High participation rates, high frequency of similar concerns, and high level of efforts point towards significant concern.

Distribution or source of concern deals with the geographic distribution of concern and also with the distribution among individuals, organizations, and communities. Concerns that are present across different demographic groups, regions, or organizations are more indicative of significant public concerns than concerns restricted to one particular group. Evidence from potentially directly-affected communities may be weighted higher than evidence of concern from communities or individuals further abroad.

The nature of concern may be described as the basis for the concern as well as its severity. For this, the MVEIRB considers the record for any evidence of potential impacts. Concerns linked to evidence of possible real impacts or observations of similar developments may be weighted heavier.

The identification of significant public concern in environmental impact assessment has similar consequences to the identification of significant environmental impacts - as both can lead to a higher level of review of project. MVEIRB has issued a discussion paper that outlines the framework above in more detail (available on MVEIRB website) and plans to develop a guideline based on this framework and on the feedback received in 2011.

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## **8.0 Closing Remarks and Next Board Forum**

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Before the final remarks, it was suggested that binder material should be distributed in advance with a deadline set for submissions. It was also noted that BRS plans to have all Board Forum Reports posted to the NWT Board Forum Website.

Members agreed that the next Board Forum would be chaired by the NEB and held in Calgary on November 30<sup>th</sup> and December 1<sup>st</sup>, 2010.

The Forum concluded with a roundtable where Chairs commented on the events of the Forum and thanked those who contributed to the success of the Forum. Many members took the opportunity to express their thanks to George Govier, Executive Director of the SLWB, and note how he will be missed following his imminent retirement. A closing prayer was given by Mike Nitsiza, of the WRRB, before the Chairs closed the meeting.



Appendices compiled in separate PDF Document

(attached)