

Mackenzie Valley
Review Board



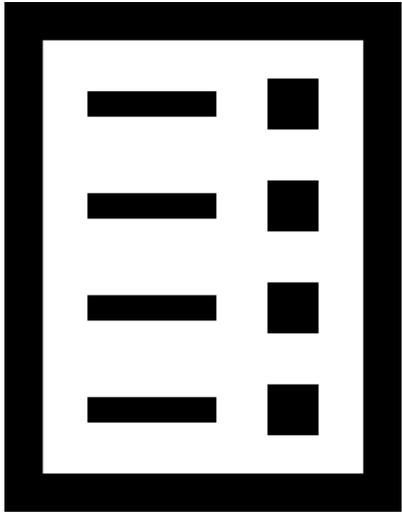
A Regional Strategic Environmental Assessment of the Slave Geological Province – Developing a Common Vision for a Sustainable Future

NWT Geoscience Forum
November 15-17, 2023

Mark Cliffe-Phillips, Executive Director



1. Outline



- Legal Context
- What is a RSEA?
- Why is one needed for the SGP?
- Process to date
- Next Steps
- Questions and discussion





Legal Framework

RSEA and the MVRMA



Part 5.2 of the MVRMA

Regional Study

- 144.32 (1) The federal Minister may establish a committee to conduct a study of the impact of existing or future works or activities carried out in a region of the Mackenzie Valley.

Appointment of members

- (2) The federal Minister shall appoint one or more persons as members of the committee.



Part 5.2 of the MVRMA

Mandate

- (3) The federal Minister shall establish the committee's terms of reference after seeking and considering the advice of the territorial government and, if the study examines works or activities affecting any first nation or the Tlicho First Nation, the advice of that first nation or the Tlicho Government, as the case may be.



Part 5.2 of the MVRMA

Consideration of the Report

- 144.39 The report must be considered in the exercise or performance under this Act of any powers, duties or functions of the boards established under subsections 36(1), 38(1), 54(1), 56(1), 57.1(1) and 99(1), the Mackenzie Valley Environmental Impact Review Board, its review panels, or a review panel or a joint panel established jointly by the Review Board and any other person or body, and of any body conducting a preliminary screening of a proposal for a development under section 124.





What is an RSEA?

How can they be used in
the Mackenzie Valley?



Reginal Strategic Environmental Assessment

- A process designed to systematically assess the potential environmental effects, including the cumulative effects, of alternative strategic initiatives, plans, or programs for a region.
- The overall objective is to inform the preparation of a preferred development strategy and environmental management framework(s) for a region.

(CCME, 2009)



Perspectives Paper



Key themes for Continuous Improvement



Well-being



Consideration of climate change



Cumulative effects & Regional Strategic EA



Collaborative project planning and early engagement



Cumulative effects and RSEA

- Cumulative problems **need cumulative solutions** (Thevinal and Ross, 2007)
 - Regional studies, and specifically, **regional strategic EA** offer an opportunity to get the **right lens** and take **collaborative approaches** to understanding the **broader context** and the **root causes** of cumulative effects



What is a RSEA?

RSEAs:

- are focused on future desired outcomes and values for a region
- are focused on understanding cumulative effects and consequences at a regional scale
- are flexible in scope and approach, depending on regional needs and questions
- involve multiple sectors, levels of governance, rights-holders and stakeholder groups



RSEAs can:

- improve project-specific EIA by improving the understanding of the current state of the human and biophysical environment, regional stressors, and trends that already exist
- improve our understanding of the most sensitive or limiting environmental and economic factors related to development
- inform planning and management
- facilitate informed decision making by identifying and understanding trade-offs
- identify the specific information or collaboration needed to support future decision making



RSEA – Moving Forward

- MVEIRB initiated discussions in Mackenzie Valley
- Discussed emerging practices with EA partners across Canada
- Location and scope of RSEA needed to be determined collaboratively considering:
 - Likely future development
 - Cumulative effects
 - Interdependence of future development
 - Multiple different values, strategies, visions for well-being, for a region, and for development



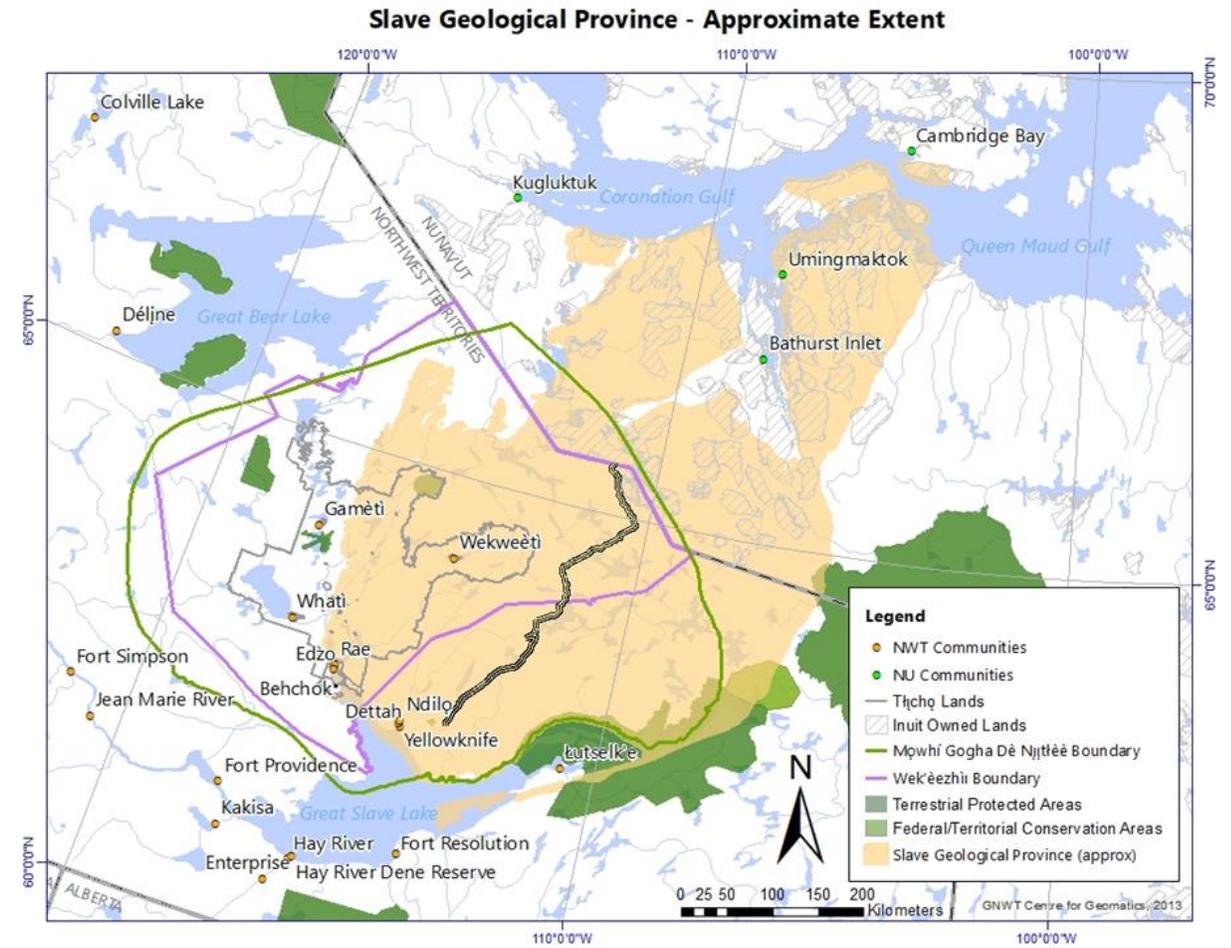
Slave Geological Province

The Need for a Regional Strategic Environmental Assessment (and a better name?)

Mackenzie Valley
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Where is the Slave Geological Province?





Why is this region ready for an RSEA?



Photo: Arctic Canadian Diamond Company



Photo: Pat Karic





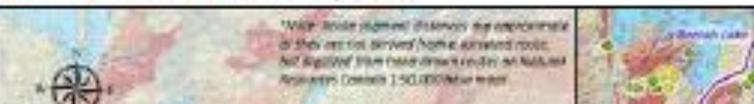
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Review Board Perspectives

- Already significant caribou, socio-economic and cultural cumulative effects have been identified in recent Review Board decisions
- The Review Board is confronted with significant challenges in its efforts to assess or mitigate potentially significant cumulative effects during project assessments, particularly to the Bathurst Caribou herd and the resulting effects on communities that depend caribou for maintaining their culture, rights to harvest, and food security.





2030 NWT CLIMATE CHANGE STRATEGIC FRAMEWORK

CADRE STRATÉGIQUE SUR LE CHANGEMENT CLIMATIQUE DES TNO 2030

Le présent document contient la traduction française du résumé et le message du ministre

Strategy

CYCLING:
Economy for





Process to date

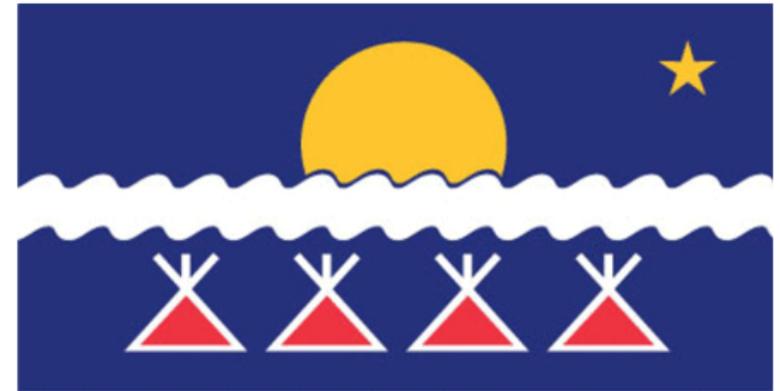
Moving forward
together



Tłıchq Government Request – June 7, 2021

- Tłıchq Government's view is that in order to reconcile competing values we need an independent assessment of options, impacts, and benefits, before permanent infrastructure is built.
- Believe Part 5.2 of the MVRMA is the right tool – Regional Studies

Tłıchq Ndek'áowo



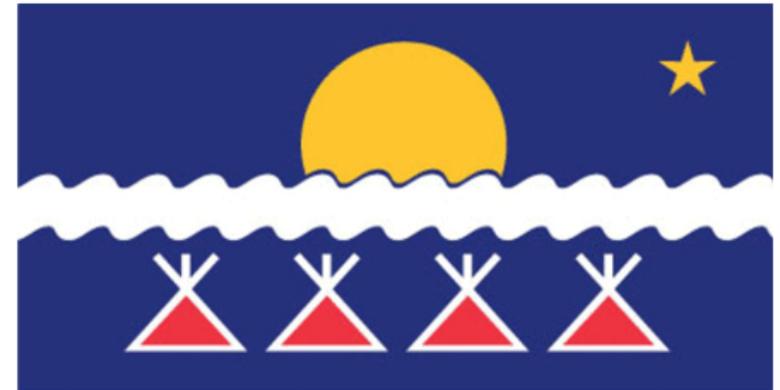
Tłıchq Government



Tłıchq Government Request – June 7, 2021

- To make good decisions about the future of this region, we all need good information.
- The type of study requested is a regional strategic environmental assessment, as described in the MVEIRB Perspectives Paper

Tłıchq Ndek'áowo



Tłıchq Government



Tłıchọ Government Request – June 7, 2021

- TG recommend that MVEIRB be tasked with carrying out the RSEA using a structure like an environmental impact review.

MVEIRB:

- Could follow a scope and terms of reference established by a steering committee of Indigenous, territorial, and federal governments.
- Is independent from any one party or government.
- Has experience using a variety of public engagement and consultation approaches, evaluating impact predictions, and making clear recommendations.
- Has recently assessed projects in the Slave Geological Province, including considerations for caribou, water, cultural use of the area, minimizing impacts and maximizing benefits.



Review Board Perspectives

- During the Board's decision process on a project change at the Ekati Mine, the Review Board wrote to the Minister of Northern Affairs in support of an RSEA for the Slave Geological Province in December 2021
- The Minister responded in February 2022 that additional parties needed to be engaged on the potential for an RSEA and tasked the Review Board with hosting a multistakeholder workshop



RSEA Workshop

June 2022

Mackenzie Valley
Review Board



Building knowledge and consensus



- Workshop brought in experts and practitioners from across Canada
- Sharing knowledge and experience from other regional studies, strategic assessments and RSEA's





precaution

reason

together

powerful

informative

holistic

caribou

equity

cummulative

baseline

engagement
all-encompassing
forward-looking

lasting-wellbeing
opportunity

innovation

forward-looking planning

collaboration

interrelationships

sustainability

beaurocracy

impacts

uncertainty

cumulative

planning

informed
culture

collaborative cumulative effects

forward-thinking

working together



Principles



Indigenous led

Primarily designed, implemented and or executed based on Indigenous Knowledge and world view, considering future generations and to inform future decisions.



Partnership

Equal participation of all parties, awareness, and consultation. Built on trust, transparency, and openness. Working together as partners towards a common goal.



Inclusive

Active engagement and capacity building. Meeting people where they're at and ensuring no one gets left behind.



Respect

Mutual respect among parties, recognising the self-determination of all Indigenous people and their ability to make independent decisions.



Collaboration

Common vision, shared outcomes. Braiding Traditional Knowledge with western science



Workshop Outcomes

1

There was a general increase in participants' understanding of RSEA.

2

Workshop participants were able to engage in authentic discussions and present their views and valued components for the RSEA.

3

Participants agreed that the RSEA must be inclusive, equitable and designed based on Indigenous knowledge and traditional values; they agreed that the process must be Indigenous led.

4

During the workshop Indigenous groups and First Nations indicated a need to have nation-to-nation discussions before adopting and expressing their positions.

5

Participants agreed to submit written positions on the RSEA to CIRNAC by July 29th, 2022.



Responses from Parties

- Overall, generally positive responses for the RSEA from NWT Indigenous governments
- As well as from GNWT, land and water boards, Chamber of Mines for the NWT and Nunavut
- General consensus that if a study goes forward, governance, geographic and temporal scope, capacity funding, and clear outcomes are needed



Minister's approval – February 2023

Minister supports the recommendation to initiate a regional study of the Slave Geological Province under Part 5.2 of the Mackenzie Valley Resource Management Act, including:

- a collaborative approach to the design and implementation of the study.
- Initially NWT only, but with involvement of parties from Nunavut
- A governance structure designed to foster a fair and transparent process over interest-based outcomes – Workshop Feb. 2023
- Meaningful opportunities for public participation



Minister's approval – February 2023

- The regional study shall specifically **consider the impacts to caribou** and strategies for mitigation of cumulative effects and caribou protection
- The regional study shall also consider other priorities of our northern partners, including objectives to:
 - **protect and promote the social, cultural, and economic well-being of residents;**
 - support the responsible advancement of **climate change** adaptation and mitigation, cumulative effects, and the **green economy;** and,
 - contribute to the objectives of the **Critical Minerals Strategy**, such as the responsible advancement of critical minerals projects and supporting infrastructure development in the North.



Minister's approval – February 2023

- The regional study shall be designed so that outcomes can be considered for near-term anticipated development and planning processes. Consideration for longer term.
- The study shall aim to be completed within a two- to three-year timeframe.
- The regional study shall not interrupt existing and ongoing regulatory and planning processes.



Next Steps and Final Takeaways



Next Steps

- Discussions between Indigenous, Territorial and Federal Governments on governance structure and terms of reference
- Ongoing bilateral meetings between Indigenous Governments
- Comments on draft Terms of Reference
- Determination on role of the Review Board in the conduct of the RSEA (ex. Secretariat role)
- Final Terms of Reference and formation of the Committee
- Initiate the RSEA



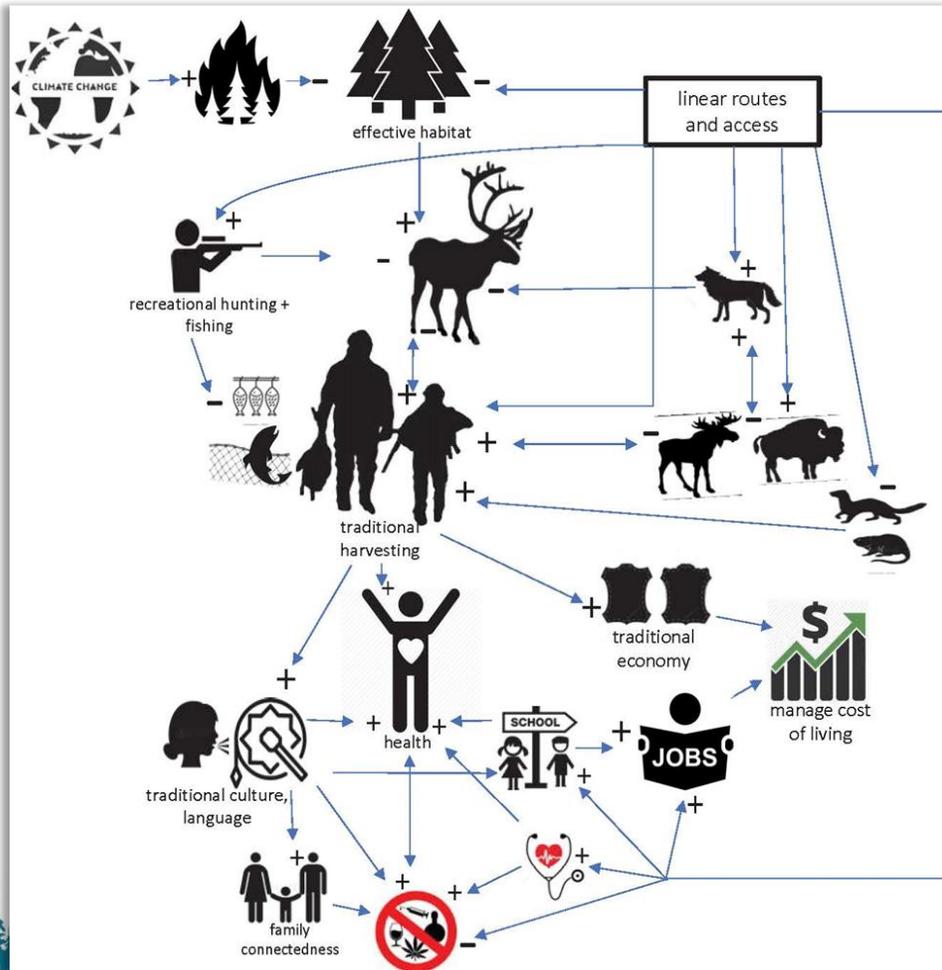
Streamline, Inform and Improve

RSEA can improve efficiency and effectiveness of project impact assessment by:

- Reducing time and cost of project assessment
- Providing key baseline information
- Establishing key VC's and assessment criteria
- Identifying areas of important cultural, ecological and heritage value
- Providing more effective management and mitigation options



RSEA can help us understand the impacts of our future decisions



- We need to understand the relationship between all aspects of the biophysical and human environment
- Need to understand how future projects or activities will interact with that system
- Help create a roadmap for the future

Mársı | Kinanāskomitin | Thank you |
Merci | Hąǰ' | Quana | Qujannamiik |
Quyanainni | Máhsı | Máhsı | Mahsì

Questions?

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For more information:

www.reviewboard.ca

