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SEIA in Environmental Impact Review

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An environmental impact review (EIR) is the third and final level of EIA in the Mackenzie Valley. A proposed development is rarely referred to an EIR. An EIR can occur when the Review Board determines during an EA that a proposed development is likely to cause significant adverse impacts on the environment or likely to cause significant public concerns. Under certain conditions the federal and responsible ministers can also order an EIR.

The requirements during EIR are similar to those in EA but an EIR requires more comprehensive data and analysis than an EA. Like the transition from preliminary screening to EA, the information generated during earlier SEIA may need to be augmented – but it will remain relevant.

An EIR involves a detailed review by a panel consisting of a minimum of three members. The Review Board determines the membership of the review panel (for transboundary considerations, see the *EIA Guidelines*). The Review Board issues Terms of Reference (TOR) for how the review panel will operate. The Review Board is authorized to include a member with socio-economic expertise on the EIR panel if socio-economic issues are identified as being paramount in the scope of the EIR.

The review panel drafts and approves the TOR for the content of the developer's Environmental Impact Statement.

The MVRMA requires that EIR reviews the same information as an EA (MVRMA section 117), and the following:

- The purpose of the proposed development – the EIR panel may consider whether the purpose of the proposed development is consistent with the goals of sustainable development

- Alternative means for operating and maintaining the proposed development that are technically and economically feasible, and a comparison of the impacts of these alternatives with the impacts of the proposed development; this can include alternatives relevant to SEIA such as those listed in Appendix E
- The need for and requirements of follow-up (monitoring) programs (discussed in Sections 3.7 and 5.8)
- The capacity of renewable resources likely to be significantly impacted by the development to meet existing and future needs (again emphasizing the role of traditional harvesting as an economic provider for the people, and the added emphasis during EIR on addressing issues of sustainability/ intergenerational equity)

The decision-making process and potential outcomes of an EIR are different from those of an EA. An EIR panel does not have to identify significant adverse impacts or public concern in order to make recommendations. In addition, Section 134(2) of the MVRMA gives the EIR panel the explicit power to require the implementation of “a follow-up program” (monitoring), along with any mitigation or remedial measures the panel deems necessary.