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Follow-up



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

Photo: Arctic Canadian Diamond Company

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
Phone (867) 766-7050

www.reviewboard.ca



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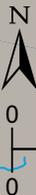
Nunavut

Gwich'in

Sahtu

Wek'èezhìi

Yukon



British Columbia

Alberta

Saskatchewan

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This booklet describes what happens after environmental assessment (EA). If a project is approved, the Review Board and regulators still have a role to play in ensuring that a developer is following the conditions of an EA, and a project's licenses and permits. Developers report on how well mitigations are working, and work with potentially affected communities to manage impacts as they occur. Regulators take on a monitoring role that ensures the developer is following conditions. The Review Board may also play a role in checking that the measures of an EA are being implemented.

KEY TAKE-AWAYS

- Carrying out environmental assessment measures, monitoring, and reporting back to others doesn't stop when an environmental assessment ends.
- Regulators and the Review Board help to ensure that measures required by the environmental assessment are followed. Regulators also make sure the developer builds, operates and closes the project as they said they would in the environmental assessment.
- Communities that could be affected, and organizations (including Indigenous governments), can and should be involved in monitoring and reporting.
- Adaptive management is a best-practice in EA follow-up.

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

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





In this booklet we're highlighting this step.



MONITORING CHECKS WHAT'S HAPPENING TO THE LAND AND TO PEOPLE

Sometimes projects have impacts on the environment even with mitigations that are meant to prevent them. Follow-up means checking when prediction(s) in the environmental assessment were wrong, or when the measures from the assessment are not working, so that action is taken to fix the problem.

Keeping track of unexpected changes and trends

Developers (sometimes with the help of community observers) monitor what kind of changes their projects are causing on the land. These changes are typically monitored and reported to communities and regulators (like the Land and Water Boards, or GNWT Health and Social Services) throughout the life of the project.

Sometimes, these changes mean that the developer's mitigations are not working and the project is causing impacts. When this happens, new or additional mitigations might be required to protect the land and people. This way, the project (or how it is run) can be changed or fixed to prevent or deal with the impacts. Communities should be given the opportunity to be involved in all stages of monitoring to spot unexpected impacts.

A mitigation is something that reduces or avoids an impact.



Nì Hadi Xa: Community monitors at work

The **Nì Hadi Xa Agreement** created a monitoring program led by six Indigenous groups affected by De Beers' Gahcho Kue Mine. The program was formed by the Indigenous groups during the environmental impact review of the mine, to:

- monitor water, air and soil quality;
- conduct wildlife and fish studies;
- require regular site inspections of mine activities, and check to ensure that De Beers is following measures and conditions; and
- review the mine's own monitoring results and management plans.

The agreement's On-the-Land Travel Program lets members of the six Indigenous groups work directly with Traditional Knowledge monitors on research and monitoring around the mine site.

Other community monitoring programs have come from recent environmental assessments of the Nico Mine, the Ekati Jay Project, and the Prairie Creek All-Season Road.



Safe water for ALL uses

A recent environmental assessment completed for a mine waste project at the Diavik Diamond Mine resulted in measures that require the developer to ensure that not only is water safe for people, aquatic life, and wildlife, but also acceptable for cultural use.

Measure 1 says that Diavik will make sure that once the mine closes, water will be safe for people, aquatic life, and wildlife, and suitable for cultural uses.

Measure 2 says Diavik will work with Indigenous groups to develop ways to judge if the water is acceptable for cultural uses.



Photo: Pat Kane



Monitoring effects and developer compliance

In addition to monitoring the effects of the project, the Review Board often creates measures that require regulators (like the Land and Water Boards) to make sure the project is being built and operated properly. Regulators and inspectors check to ensure that the developer is meeting the requirements of the environmental assessment and other environmental permits and licenses.

Reporting back to communities and other groups

The Review Board or other regulators may require developers to speak directly with communities that could be affected to determine if impacts are occurring and how the developer's mitigations can be improved. The developer may also be required to provide an annual report to affected communities on how well mitigations are working.

If needed, correct and find a path forward

Sometimes, certain mitigations just don't work as expected. Developers may carry out the measures required by the Review Board and meet the conditions required by regulators, but if the project is still having impacts on the environment or people, more action may need to be taken. Usually, developers do this through a process called adaptive management.

Adaptive management means carefully watching and learning what impacts actually happen, and if necessary, changing a project (or how it is run) to fix problems.



WANT TO KNOW ABOUT FOLLOW-UP FOR A PROJECT?

If you want to know how measures from an environmental assessment have been followed, Review Board staff can connect you with the groups that track follow-up for that project. Our contact information is available on the back of this booklet.

- **Board staff can tell you who is monitoring** different impacts (like impacts to wildlife, water, or cultural impacts) and get you in contact with them.
- Developers and government usually report to the Review Board about how and when they carry out measures. **We post those reports** on our website, and can help you find them.
- **We can help you find inspection reports** by connecting you with the organization that has them. For example, inspections about land use permits and water license conditions are posted on the Land and Water Board's public registry.
- **If the project has an independent monitoring agency** (like Ekati, Diavik, Giant Mine or De Beers Snap Lake), **we can connect you with them**. They can answer many questions about what is happening at a project site, what unexpected impacts occurred, and how they are being dealt with.



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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BOOKLET	BOOKLET	2	 <p>2 Project Planning</p> <p><small>A booklet series about Environmental Impact Assessment in the Mackenzie Valley</small></p>
BOOKLET	BOOKLET	3	 <p>3 Preliminary Screening</p> <p><small>A booklet series about Environmental Impact Assessment in the Mackenzie Valley</small></p>
BOOKLET	BOOKLET	4	 <p>4 Environmental Assessment</p> <p><small>A booklet series about Environmental Impact Assessment in the Mackenzie Valley</small></p>
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