



June 18th, 2008

By fax, email and web posting
EA0708-007

To: Taltson Hydroelectric Expansion Project Distribution List

RE: Disclosure of experts to be engaged by the Review Board

The Mackenzie Valley Environmental Impact Review Board (Review Board) wishes to disclose the following information:

Engagement of SENES Consultants Limited

The Review Board proposes to contract with SENES Consultants Limited, out of its Yellowknife office, for the provision of expertise on the Taltson Hydroelectric Expansion Project environmental assessment proceeding for the following topics:

- Potential impacts to local and regional hydrology and water quality;
- Potential impacts to aquatic organisms and their habitat; and
- Geotechnical and engineering considerations of the development.

A listing of the SENES personnel identified for this proceeding, including their Curricula Vitae, has been attached to this notification.

Although Parties to this environmental assessment have not been yet established, the Review Board has taken this opportunity to disclose SENES Consultants Limited's current or prior relationship to organizations who have participated in the environmental assessment to date, or who are likely to do so.

SENES Consultants Limited, through its Yellowknife office, has a contract with Indian and Northern Affairs Canada's Contaminants and Remediation Directorate to provide consulting services on matters related to contaminated sites. SENES Consultants Limited, through its Yellowknife office, has a contract with the Government of Northwest Territories to provide consulting services on matters related to environmental management in the Sahtu Settlement Area.

In addition, SENES Consultants Limited, through its Yellowknife office, has done some work for Lutsel K'e Dene First Nation on the Thaydene Nene State of Knowledge Report (2006).

SENES's work for INAC, GNWT and Lutsel K'e First Nation has not been related to the environmental assessment of the Taltson Hydroelectric Expansion Project.

Engagement of MSES Inc.

The Review Board proposes to contract with MSES Inc., out of its Calgary office, for the provision of expertise on potential impacts to wildlife and wildlife harvesting wildlife issues for the Taltson Hydroelectric Expansion Project environmental assessment proceeding. A listing of the MSES personnel identified for this proceeding, including their Curricula Vitae, has been attached to this notification.

MSES Inc. is not currently working for any organizations that have participated in the environmental assessment do date.

Opportunity to comment

Should anyone wish to take steps in relation to this information, the Review Board asks that they respond with comments by 5:00 pm, July 2, 2008. Any comments should be sent to my attention at pduxbury@mveirb.nt.ca or at (867)-766-7062.

A general description of the context in which the Review Board retains expert advisory assistance is also attached.

Yours truly,



Patrick Duxbury, Environmental Assessment Officer
MVEIRB

Attachments (2)

Attachment 1

A resume of Relevant Knowledge and Experience of SENES Consultants Limited's proposed expert advisory team for the Taltson Hydroelectric Expansion Project is available on the Review Board website at:

[http://www.mveirb.nt.ca/upload/project_document/1213810336_EA0708-007%20CVs from SENES for Disclosure.pdf](http://www.mveirb.nt.ca/upload/project_document/1213810336_EA0708-007%20CVs_from_SENES_for_Disclosure.pdf)

A resume of Relevant Knowledge and Experience of MSES Inc.'s expert proposed advisory team for the Taltson Hydroelectric Expansion Project is available on the Review Board website at:

[http://www.mveirb.nt.ca/upload/project_document/1213810432_EA0708-007%20CVs from MSES for Disclosure.pdf](http://www.mveirb.nt.ca/upload/project_document/1213810432_EA0708-007%20CVs_from_MSES_for_Disclosure.pdf)

Attachment 2

Use of Consultants by the Mackenzie Valley Environmental Impact Review Board

The Mackenzie Valley Environmental Impact Review Board (“MVEIRB” or “the Board”) is an expert tribunal that exercises quasi-judicial functions related to its mandate. The Board relies upon its staff to provide technical knowledge to assist in assessing applications. Review Board staff generally provide technical assistance to the Board members by:

- Reviewing, analyzing and summarizing the evidence
- assisting in the preparation of hearing questions and information requests and
- drafting reports of environmental assessment under the Review Board’s direction

When particular expertise or knowledge is not available internally, the MVEIRB can retain consultants with the necessary expertise. Review Board staff then work with the consultants to provide technical assistance (in the three areas listed above) to the Board members. The consultants may also provide MVEIRB staff with technical assistance in the process of assisting the Board members with drafting their Reasons for Decision.

The MVEIRB hires consultants based upon their technical capabilities in a required discipline. Consultants are not automatically disqualified if they may have given advice to particular parties in the past. However, before the MVEIRB hires a consultant, the Board requires that the consultant disclose any past dealings the consultant has had with the parties to that particular proceeding. The Board also requires disclosure of the consultant’s dealings with the same parties in other proceedings currently before the Board.

The MVEIRB then makes inquiries to satisfy itself that the dealings between the consultant and the parties would not affect the consultant’s ability to provide the Board with objective analysis. Where there have been prior dealings between the consultant and any of the parties or where such dealings occur after the Board has hired the consultant, the Board discloses this fact to the parties to a proceeding in accordance with its policy to allow them to comment. The Board considers the comments received when deciding whether to retain, or to continue to retain, a particular consultant.

Generally, the MVEIRB only discloses its use of consultants if the Board decides that the circumstances might raise a concern about a particular consultant’s independence or objectivity.

Neither MVEIRB staff nor any consultants hired by the Board conduct project-related studies, prepare reports or otherwise provide evidence. Therefore, staff and consultants do not respond to information requests nor are they presented for cross-examination. The Board determines the need for information requests and also does the final assessment of the evidence presented. The Review Board’s decisions are entirely based on the evidence presented by the parties on the public record during the proceedings.