



Mackenzie Valley
Environmental Impact
Review Board

Dezé Energy Corporation
Taltson Hydroelectric Expansion Project
Environmental Assessment EA0708-007

Work Plan

Mackenzie Valley Environmental Impact Review Board

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1 INTRODUCTION

This is the work plan for the environmental assessment (EA) of Dezé Energy Corporation's proposed Taltson Hydroelectric Expansion Project (Expansion Project). The Expansion Project was referred to environmental assessment by the Mackenzie Valley Land and Water Board on October 5, 2007 on the basis that the proposed development might have significant adverse impacts on the environment and might be a cause of public concern.

This EA is subject to the requirements of Part 5 of the MVRMA. The MVEIRB's *Rules of Procedure*, guidelines, reference bulletins, and relevant policies are applicable to this assessment and are available online at www.mveirb.nt.ca. The definitions of MVRMA s. 111 apply in this document and throughout the EA. Terms not defined in the MVRMA, or a document issued by the Review Board, are used in their general sense and do not imply specific activities or standards that may be associated with the term in other jurisdictions.

2 SCOPE

The scope of the development under assessment is defined in the Terms of Reference for the Taltson Hydroelectric Expansion Project issued by the MVEIRB.

3 ROLES AND RESPONSIBILITIES

This section explains the roles and responsibilities of the Review Board, its staff, as well as other parties involved in the environmental assessment process.

3.1 Review Board

The Review Board, assisted by its staff, is required to undertake the following in relation to this EA:

- Conduct the EA in accordance with Section 126(1) of the MVRMA;
- Determine the Scope of Development, in accordance with Section 117(1) of the MVRMA
- Consider a variety of required factors, in accordance with Section 117(2) of the MVRMA
- Make a determination regarding whether the proposed development will likely cause significant adverse environmental impacts or significant public concern, in accordance with Section 128(1) of the MVRMA, and make a recommendation on whether the development should proceed and under what conditions based on these findings;
- Identify areas and extent of impacts in or outside the Mackenzie Valley in which the development is likely to have a significant adverse impact or be a cause of significant public concern, in accordance with Section 128(4) of the MVRMA, and;
- Report to the Federal Minister in accordance with Section 128(2) of the MVRMA.

The Review Board's Environmental Assessment Officer (EAO) is the primary point of contact between the Review Board and the developer, government bodies (federal, territorial and municipal), non-government organizations (NGOs), aboriginal groups, expert advisors (expert consultants contracted directly by the Review Board), the public and other interested parties. This

does not limit or preclude the developer's contact with other parties during the EA process – in fact the Review Board actively encourages dialogue between parties in parallel forums. The Review Board may choose to hire expert advisors to provide technical expertise on specific aspects of the EA. In accordance with guiding principles of the MVRMA, the process established for the environmental assessment shall be carried out in a timely and expeditious manner.

3.2 Government Bodies

Government bodies may be involved in the EIA process as:

- A Regulatory Authority as defined in the MVRMA;
- A Responsible Minister as defined in MVRMA;
- A Federal Minister as defined in the MVRMA; or
- A provider of technical expertise to the Review Board and to Parties.

3.3 Developer

The developer is expected to respond in a suitable and timely manner to directions and requests issued by the Review Board. Such requests include but are not necessarily limited to information requests, requests for translation of documents, the request for the developer's presence at public hearings, and requests to produce public information material.

The developer may present additional information at any time to the Review Board beyond what was requested during the EA process. The Review Board encourages the developer to continue consulting all potentially affected communities and organizations during the EA process. The Review Board may request that the developer provide written record verifying consultations, including how the consultations have influenced the design of any part of the development or any steps the developer plans to take to address a concern or issue.

3.4 Other Parties

First Nations, aboriginal groups, NGOs and members of the public may request and be granted party standing by the Review Board, as per the MVEIRB Rules of Procedure. Parties may provide the Review Board with information relevant to the EA of their own volition, or they may be asked by the Review Board to provide any relevant information they may have. Parties are expected to participate and respond to directions and requests issued by the Review Board in a suitable and timely manner.

Parties may present information at any time during the EA and may be given an opportunity to submit information requests for Review Board approval during the analysis phase. Party status may be granted at any time during the proceedings.

3.5 Written Submissions

All parties, as well as the public, are invited to submit evidence. Written submission will be placed on the public record. Under special circumstances, the Review Board may consider confidential submissions. Parties who do not wish to have their submission put on the public record must contact Review Board staff prior to making a submission. The Review Board will decide on a case by case basis on the merits of a request for confidentiality per its *Rules of Procedure*.

Submissions should be in a format that is easily accessible to all EA participants. The Review Board prefers documents to be submitted digitally in either Word or PDF format. Individual files should not exceed 3 MB in size; larger files should be broken into smaller parts. Hardcopy, hand delivered, couriered or fax transmissions are acceptable as long as they can be reproduced via photocopier. For hardcopies, the date the submission is received at the Review Board's office is considered to be the submission date. The Review Board will not consider any submission after the closing of the public record.

Oversized items or items that are difficult to reproduce, such as colour maps, should be submitted digitally, and as hardcopy in sufficient quantities to be distributed to those parties with limited access to computer technology. Please contact the Review Board's staff for the quantities required. The Review Board may request hardcopies of any document.

4 WORK PLAN

This EA is divided into start up, scoping, analytical, hearing, and decision phases.

4.1 Start Up Phase

During this phase the Review Board initiated the notification measures required by the MVRMA. The Review Board opened the Public Registry on the EA and prepared an initial distribution list of likely-interested organizations.

4.2 Issue Scoping and ToR Preparation Phase

The Review Board undertook issues scoping exercises to help it identify the key concerns of communities, organizations and the public-at-large. The scoping exercises were held in several communities to facilitate the involvement of members of the public who may be potentially affected by the proposed development.

A draft Terms of Reference and Work Plan was developed by the Review Board. A final Terms of Reference and Work Plan will be developed by incorporating written comments received from parties, in addition to comments and conclusions drawn from scoping sessions and previous documents submitted to the registry.

4.3 Analytical Phase

The main purpose of the analytical phase is to collect the information required for the Review Board to make its decision. The analytical phase contains six major milestones:

1. ***Developer's Assessment Report:*** The developer will produce a DAR in accordance with the EA Terms of Reference.
2. ***Conformity Check, Review Board Deficiency Statement and Developer's Response:*** The Review Board will review the DAR to ensure that the developer has provided the information required. If needed, the Review Board will issue a deficiency statement identifying those areas in which the developer has not provided sufficient information to address an item listed in the Terms of Reference.

3. **Information Request Round 1:** The first round of information requests (IR) will be issued by the Review Board based.
4. **Technical Sessions:** Technical sessions will be held on specific topics of concern to the parties and the Review Board. The purpose of the technical sessions is to resolve as many issues as is possible prior to public hearings.
5. **Information Request Round 2:** The second round of IR will allow the parties to gather any outstanding information required for their final analysis of the issues.
6. **Issues Selection:** The Review Board will give consideration to those issues it believes have been addressed in the course of the assessment. It will identify any remaining issues that it believes should be given attention during the Hearing Phase.
7. **Technical Reports:** At the end of the analytical phase, parties will submit their analysis of the issues, their views of the significance of any impacts, and their recommendations to the Review Board in writing.

4.4 Hearing Phase

The hearing will provide the parties with an opportunity to present their views and findings directly to the Review Board. Parties will be directed to focus their efforts on the remaining key issues, summarize their findings, and present their recommendations and arguments for these recommendations to the Review Board.

4.5 Decision Phase

Following the closure of the public hearing, the Review Board will deliberate, make any determinations required by law and report its findings, decisions, and recommendations. During the decision phase the Review Board may issue 'requests for clarification'. Unlike information requests, a clarification request does not seek new information or evidence but simply a clarification on evidence already on the public record. It does not require a re-opening of the record. A clarification request may be issued, e.g. to ascertain the exact nature of a commitment made by the developer.

4.6 Revisions to the Work Plan

The Review Board may alter the work plan at any time during the EA in response to a Request for Ruling, or by its own motion. The Review Board may complete the EA at any time, if sufficient evidence is on the public record, and make a decision pursuant to s.128 of the MVRMA.

5 SCHEDULE

Key milestones and their predicted duration are presented in Table 1, as well as in the attached Gantt chart. The schedule is subject to change and will be updated by the Review Board as needed. All dates reported are approximate target dates only.

Table I – Estimated EA Schedule for Taltson Hydroelectric Expansion Project¹

MILESTONE	Duration
	<i>Date/Est. Date</i>
Start-up Phase	
EA referral	October 12, 2007
Notification and start-up of the EA	October 17, 2007
Issue Scoping and ToR Preparation Phase	
Scoping sessions preparation	Oct 17-Nov 27, 2007
Conduct of scoping sessions (Ft. Smith, Ft. Resolution, Yellowknife, Lutsel k'e)	Nov 28, 2007-Mar 7, 2008
Preparing draft Terms of Reference and Work Plan	Jan 21-Feb 20, 2008
Comments on draft ToR and WP	Feb 21-Mar 12, 2008
Final Terms of Reference	March 28, 2008
Analytical Phase	
Developer's Assessment Report (approximate)	Mar 29, 2008-Mar 2, 2009
Review Board Conformity Check and Deficiency Statement (if required)	March 25, 2009
Developer's response to the Deficiency Statement (if required)	<i>Not required</i>
Preparation of Roundtable technical meetings	<i>Apr 24-May 14, 2009</i>
Roundtable technical meeting	<i>May 15-22, 2009</i>
Preparation of technical meeting report	<i>May 25-28, 2009</i>
Preparation of combined IRs	<i>May 11-June 15, 2009</i>
Pre-hearing conference	<i>TBA</i>
Responses to combined of IRs (approximate)	<i>June 25-Jul 23, 2009</i>
Announcement of Issues Selection	<i>TBA</i>
Parties' technical reports	<i>Jul 24-Aug 21, 2009</i>
Hearing Phase	
Preparation for Public and/or Community Hearing(s)	<i>Aug 24-28, 2009</i>
Conduct of Public and/or Community Hearing(s)	<i>Aug 31-Sep 4, 2009</i>
Closure of Public Registry	<i>Sep 21, 2009</i>
Decision Phase	
Review Board Requests for Clarification (if necessary)	<i>TBA</i>
Review Board EA decision and Report of Environmental Assessment	<i>Sep 22-Nov 18, 2009</i>
Review Board's Report of EA to the Minister of INAC	<i>November, 2009</i>
Federal Minister's response to the Review Board's Report of EA	<i>—</i>

¹ Some of these activities may occur concurrently; please refer to Gantt chart

APPENDIX – Gantt Chart

ID	Task Name	Duration	Start	Finish	October	Nov	Decem	Januar	Febru	March	April	May	June	July	August	Septe	October	Nov	Decem	Januar	Febru	March	April	May	June	July	August	Septe	October	Nov
1	Referral	1 day	Fri 12/10/07	Fri 12/10/07	◆																									
2	Notification and start-up of the EA	1 day	Wed 17/10/07	Wed 17/10/07																										
3	Scoping sessions preparation	28 days	Thu 18/10/07	Tue 27/11/07																										
4	Conduct of scoping sessions	70 days	Wed 28/11/07	Fri 07/03/08																										
5	Preparing draft Terms of Reference and Work Plan	23 days	Mon 21/01/08	Wed 20/02/08																										
6	Comments on draft ToR and Work Plan	15 days	Thu 21/02/08	Wed 12/03/08																										
7	Preparation of Final ToR Work Plan	12 days	Thu 13/03/08	Fri 28/03/08																										
8	Preparation of Developer's Assessment Report	241 days	Mon 31/03/08	Mon 02/03/09																										
9	Conformity Check and Deficiency Statement	17 days	Tue 03/03/09	Wed 25/03/09																										
10	Developer's response to the Deficiency Statement	0 days	Wed 25/03/09	Wed 25/03/09																										
11	Technical meeting preparation	15 days	Fri 24/04/09	Thu 14/05/09																										
12	Roundtable technical meetings	5 days	Fri 15/05/09	Fri 22/05/09																										
13	MVEIRB report of technical sessions	4 days	Mon 25/05/09	Thu 28/05/09																										
14	Deadline for proposed combined round of IRs	25 days	Mon 11/05/09	Mon 15/06/09																										
15	Call for public hearing	1 day	Wed 15/07/09	Wed 15/07/09																										
16	Pre-hearing conference	1 day	Wed 15/07/09	Wed 15/07/09																										
17	Response to second round Irs	20 days	Thu 25/06/09	Thu 23/07/09																										
18	Announcement of Issues Selection	0 days	Mon 27/07/09	Mon 27/07/09																										
19	Preparation of technical reports	20 days	Fri 24/07/09	Fri 21/08/09																										
20	Preparation for public and/or community hearing(s)	5 days	Mon 24/08/09	Fri 28/08/09																										
21	Conduct of public (HR) and/or community hearing	5 days	Mon 31/08/09	Fri 04/09/09																										
22	Closure of public registry	10 days	Tue 08/09/09	Mon 21/09/09																										
23	Review Board request for clarification (if necessary)	0 days	Tue 08/09/09	Tue 08/09/09																										
24	Review Board EA decision and Report of Environmental Asses:	40 days	Tue 22/09/09	Wed 18/11/09																										
25	REA delivered to the Minister of INAC	1 day	Thu 19/11/09	Thu 19/11/09																										