

**EA1617-01**

**Updated Work Plan**

**Tlicho All-Season Road**

**Government of the Northwest Territories**

August 25, 2017  
Mackenzie Valley Review Board  
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## 1. Introduction

This is the work plan for EA1617-01, the environmental assessment (EA) of the Tlicho All-season Road Project (TASR or the Project) proposed by the Government of the Northwest Territories-Department of Infrastructure (GNWT-INF).

This EA is subject to the requirements of Part 5 of the *Mackenzie Valley Resource Management Act* (MVRMA). The Review Board has published *Environmental Impact Assessment Guidelines* and *Rules of Procedure* that describe the environmental assessment process and rules for its proceedings in detail. They are located on the Review Board website:

[http://www.reviewboard.ca/process\\_information/guidance\\_documentation/guidelines.php](http://www.reviewboard.ca/process_information/guidance_documentation/guidelines.php)

All documents related to this EA are accessible on the Review Board's public registry at [www.reviewboard.ca](http://www.reviewboard.ca). This Work Plan provides an estimated schedule for the environmental assessment and a brief description of the phases of the EA.

The Review Board completed the Technical Session phase of the EA. The EA is now entering the Public Hearing phase. The next process step is for parties to submit their Technical Reports to the Review Board on October 13, 2017. These reports should include any comments or review on the GNWT's updated Wildlife Management and Monitoring Plan (WMMP). This updated work plan is contingent on the submission of the WMMP by the GNWT on September 22, 2017.

## 2. Estimated Schedule

This section describes the process steps and estimated time requirements for each phase in the environmental assessment of the Tlicho All-season Road Project since its initial referral. The timelines provided assume the quality of information received at each stage of the EA is sufficient to advance the process and does not require clarification or additional work. Timelines have been updated to reflect reasonable predictions on how long each process step will occur. The developer has submitted to the Review Board draft timelines for activities it has control over. The Review Board has updated this version of the work plan with those estimates. In accordance with the *Rules of Procedure*, the board may vary this work plan as it deems necessary to ensure the EA process is fair and efficient.

As of August 25, 2017, the Review Board had used 22 weeks, or approximately 5.5 months of its allotted 16 months, as legislated under the MVRMA. The estimated total Review Board and party time for this EA is 41.5 weeks (see Table 1).

Table 1. Work plan for EA1617-01 with estimated schedule and timelines

Legend
Mackenzie Valley Environmental Impact Review Board and/or parties
Developer's/GNWT-INF time
Minister

Process step (length in weeks)	Process step time (Date)	Cumulative Review Board time (# weeks)	Total Time (# weeks)
<b>Referral of development proposal to environmental assessment</b>	<b>Start July 21, 2016</b>	<b>start</b>	
<i>Scoping</i>			
Community issues scoping meeting in Whatì	August 18, 2016	4 weeks	4 weeks
Technical issues scoping meeting in Yellowknife (4 weeks)			
Draft Terms of Reference and draft Adequacy Statement (4 weeks)	September 23, 2016	8 weeks	8 weeks
Public review and comment (3 weeks)	October 13, 2016	11 weeks	11 weeks
Developer review and comment (1 week)	October 20, 2016		12 weeks
<b>Final Terms of Reference and final Adequacy Statement (1 week)</b>	<b>October 30, 2016</b>	12 weeks	13 weeks
<i>Developer's fulfillment of Adequacy Statement requirements</i>			
Developer submits Adequacy Statement Response (26 weeks)	April 13, 2017		39 weeks
Conformity check of Adequacy Statement Response (2 weeks)	April 28, 2017	14 weeks	41 weeks
<i>Information Requests and Technical Session</i>			
Information requests (4 weeks)	May 29, 2017	18 weeks	45 weeks

Developer responses to information requests (4 weeks)	<b>21 July, 2017</b>		49 weeks
Board and parties prepare for technical sessions (3 weeks)	August 15, 2017	21 weeks	52 weeks
<b>Technical Session in Behchokò (1 week)</b>	<b>Aug 15,16,17</b>	<b>22 weeks</b>	<b>53 weeks</b>
Developer response to undertakings from technical session (1 week)	August 25, 2017		54 weeks

*Public Hearing: includes issuance and review of WMMP by GNWT to parties (September 22, 2017), and a 2.5 week review by parties*

Technical Reports submitted (Parties' Interventions) (6.5 weeks)	October 11, 2017	28.5 weeks	60.5 weeks
Pre-hearing conference	TBD		
Developer response to Technical Reports (Intervention) (2.5 weeks)	October 27, 2017		63 weeks
Deadline for Parties' Presentations (1 week)	November 3, 2017	29.5 weeks	64 weeks
Deadline for Developer's Presentation (0.5 weeks)	November 6, 2017		64.5 weeks
<b>Public Hearings in Whatì (1 week)</b>	<b>November 15 - 17, 2017</b>	<b>30.5 weeks</b>	<b>65.5 weeks</b>
Developer undertakings from hearing (2 weeks)	December 1, 2017		67.5 weeks
Closing arguments from Parties (2 weeks)	December 15, 2017	32.5 weeks	69.5 weeks
Developer closing arguments and closure of public record (5 weeks)	January 19, 2018		74.5 weeks
<i>Decision</i>			
<b>Report of EA and Reasons for Decision (9 weeks)</b>	<b>March 23, 2018</b>	<b>41.5 weeks</b>	<b>83.5 weeks</b>
<b>Decision from Minister of Lands and Tłıchq Government</b>	TBD		

### 3. Phases of the Environmental Assessment

The phases in this EA include the Start-up, Scoping and Terms of Reference, Analytical, Hearing and Decision phases. They are briefly described below.

#### 3.1. Start-up phase

The Review Board referred the Project to environmental assessment on its own motion on July 21, 2016. This date marks the start of this EA process<sup>1</sup>. During the Start-up phase, the Review Board notified the developer and the public of the referral. A project-specific EA was opened on the public registry and Review Board staff were assigned review roles for the EA.

#### 3.2. Scoping and Terms of Reference phase

The Review Board held a community scoping meeting in Whatì on August 18, 2016, and a technical scoping meeting in Yellowknife on August 24, 2016. The Review Board incorporated comments and concerns from the public scoping meetings into a *draft Terms of Reference* (PR#46). For reasons outlined in the accompanying [Notice of Proceeding \(PR#44\)](#), a *draft Adequacy Statement* (PR#47) was also developed. This document describes the outstanding information needed to proceed to the next phase of the EA. The *draft Terms of Reference* and *draft Adequacy Statement* were released for review and comment on September 23, 2016. Comments from the public were received by the Review Board on October 13, 2016. Comments from the developer were received October 20, 2016, and the Review Board published a final Terms of Reference (PR#69) and Adequacy Statement (PR#70) on Oct 28, 2016.

#### 3.3. Analytical phase

This phase includes the following steps:

**Developer's Adequacy Statement Response (ASR):** On April 13, 2017 in response to the Review Board's *Adequacy Statement* the developer submitted its [Developer's Adequacy Statement Response](#) (PR#110). This information along with the Developer's [Project Description Report](#) (PR#7) satisfies the requirements for a developer's assessment report (DAR).

**Conformity Check:** On April 28, 2017 the Review Board issued a letter stating that developer's

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<sup>1</sup> See the Review Board's ["Reasons for Decision for Referral to Environmental Assessment"](#) (PR#2) for specifics.

*Adequacy Statement Response* is sufficient to move forward with the EA process (PR#111).

**Technical Review:** The Technical Review phase consisted of:

Parties to the environmental assessment, or any hired expert, look at the contents of the DAR (in this case, the combined PDR and ASR) to see if they agree with the issues analysis, potential impacts and any mitigation measures proposed by the developer. The technical review helps resolve or clarify issues and gather information that will help the Review Board make its final decision. See the [Technical Review step-by-step guide](#) for more details.

- **Information requests and responses:** Information requests were submitted by Parties on May 29, 2017 and responded to by the Developer on July 21, 2017.
- **Technical sessions:** The Review Board held Technical sessions in the Community of Behchokq August 15 – 17, 2017.

### 3.4. Hearing phase

The Review Board can, and typically does, hold a public hearing or hearings to address issues that remain outstanding and allow for parties and the public to speak to the Review Board directly. Review Board members are present at the public hearing(s). The Board will provide public notice a minimum of 30 business days in advance of the hearing. Hearings offer an opportunity for the developer, parties and the public to directly address the Review Board with evidence regarding the potential impacts of the proposed project.

Parties that wish to intervene in the public hearing must submit technical reports, which clearly state the parties' conclusions and recommendations based on evidence on the public record. The developer provides responses to technical reports prior to the public hearing, including any proposed amendments, additions or refinements to the development description, its own prediction of impacts, or mitigation commitments. The Review Board will provide a template and format for preparing a technical report.

At the hearing, parties have the opportunity to question the developer and other parties. The Review Board may identify undertakings that parties or the developer commit to during the public hearing. After responses to any undertakings are submitted, parties and the developer will submit closing arguments with deadlines provided by the Review Board.

Specifics on hearing format are described in a Notice of Proceeding issued prior to the hearings.

### 3.5. Decision phase

Following the hearing phase, the Review Board closes the public record for the environmental assessment and begins its final deliberations. Upon completing its thorough assessment of the evidence on the public record, the Review Board releases a *Report of Environmental Assessment* and *Reasons for Decision*. The Review Board will provide the GNWT Minister of Lands and the Tłıchǫ Government with its *Report of Environmental Assessment* in accordance with subsection 128(2) of the MVRMA.