



ENVIRONMENTAL IMPACT REVIEW BOARD

THE REVISED REVIEW STEPS FOR THE PROPOSED INUVIK to TUKTOYAKTUK HIGHWAY PROJECT

- DATE OF RELEASE:** December 20, 2011
- DISTRIBUTION:** All registered Parties, EIRB Electronic On-line Registry (EOR), and the Public.
- PURPOSE:** This Information Release explains the revised steps and associated procedures for completing the review. It identifies specific reporting points for the Parties and identifies Review Panel expectations for involvement.
- REVIEW STEPS REMAINING:** The following steps remain in the review process:
1. Technical Review, including Information Request (IR) Process
 2. Technical Sessions (optional)
 3. Pre-Hearing Conference
 4. Public Hearings
 5. Completion of Final written submissions
- REVIEW STEP DESCRIPTIONS:** Please refer to Appendix A.
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Appendix A

Each of the remaining steps in the review process where the Parties are involved is briefly described below. The Review Panel will issue more specific direction to the Parties prior to the beginning of each step.

1. **Technical Review and Information Request (IR) Process**

The Technical Review is where the information the Developer has provided in the EIS about the proposed development, its prediction of impacts, the significance of the identified impacts, the proposed mitigation measures and proposed follow-up and monitoring programs are all scrutinized and evaluated in detail by the Parties and the Review Board. The Technical Review includes an Information Request (IR) process that allows the Review Board and the Parties to request additional information and/or clarification on any part of the EIS.

Please refer to the December 19, 2011 Information Release titled, *The Information Request (IR) Process for the Inuvik to Tuktoyaktuk Highway Project* for more information on the IR process.

Reporting Requirement:

Parties issuing IRs and Parties responding to an IR must submit IRs and responses to the EIRB in electronic form. The EIRB reserves the right to require printed copies of all IRs and IR responses.

2. **Technical Sessions (optional)**

The objective of the Technical Sessions will be to facilitate informal face-to-face discussion on technical matters related to the EIS in an effort to resolve outstanding technical issues prior to the Public Hearings. The Technical Sessions are managed by EIRB staff and Counsel and may include a professional facilitator to ensure all agenda items are adequately addressed in the time allotted for the meeting. Breakout sessions on key topics (e.g., wildlife, socio-economic issues, water quality) could be scheduled during the Technical Sessions if appropriate in order to allow active participation by the Developer, Regulators and other Parties in attendance. The agenda for any Technical Sessions will be developed to reflect the outstanding issues identified by the Parties and those issues listed by the Parties following the second IR round.

During the Technical Sessions, EIRB staff will track all commitments made by the Developer regarding resolution of technical issues, with all commitments compiled into a list forming part of the meeting record. The list of commitments will be carried forward to the Public Hearings for consideration by the Review Panel and incorporation into the Panel Report.

Reporting Requirement:

At the end of the Technical Sessions the undertakings that resulted from the sessions will be filed. The Parties will then be asked to file their technical submissions with the Review Panel/Board. The technical submissions are the Public Hearing interventions of the Parties, containing the Parties technical analysis and recommendations regarding the proposed development. Following receipt of the Parties technical submissions, the Developer will be given the opportunity to respond to the submissions in writing.

3. Pre-Hearing Conference

The Review Panel/Board will convene a Pre-Hearing Conference (PHC), facilitated by the EIR Coordinator, in a location or locations to be determine by the Review Panel/Board.

The PHC provides the opportunity to:

- Finalize the list of issues to be discussed at the Hearing
- Seek a clear description or amplification of the issues in a Hearing
- Encourage the resolution of an issue by alternative means
- Set a time table for the exchange of hearing presentations and for preparations for the Hearing
- Set out the procedures to be used at the Hearing
- Consider any matter that may aid in the simplification and disposition of the Hearing

The PHC would be convened in accordance with Rules 3.7.5 and 3.7.6 of the Rules of Procedure.

Reporting Requirement:

Following completion of the PHC, the Parties will be asked to file their Public Hearing (PowerPoint) presentations to the Review Panel/Board. Following the Parties submissions, the Developer will be asked to submit its Public Hearing (PowerPoint) presentation. **Please note, no new information or evidence is to be provided in the Public Hearing presentations.**

4. Public Hearings

Public Hearings are an opportunity for the Review Panel to hear directly from the public and the Parties in face-to-face meetings in the affected communities. The Parties have the opportunity to question participants directly, and it allows the Parties to respond.

The Review Panel will issue a Hearing Notice at least 30-days in advance of the Public Hearing. The Hearing notice shall include as a minimum the following information:

- The date, time, place and nature of the Public Hearing, whether a formal or a community hearing.
- The matters to be considered at the Public Hearing.
- The opportunity for members of the public to participate.
- The date by which information to be considered in the Public Hearing must be filed.

- Any other information relevant to the conduct of the Public Hearing.

The Public Hearings allows the Parties to present their findings, conclusions and recommendations regarding the proposed development (i.e., their Public Hearing presentations) followed by a Question and Answer session. Party presentations and Q&A's will follow a specific order as determined by the Review Panel. Closing statements and/or arguments of the Parties and the Developer will then be allowed to close the Public Hearings. Throughout the Public Hearings, the Public will also be given the opportunity to present to or address the Review Panel and the Parties.

The Review Panel will convene the Public Hearings in accordance with Part 3.7 or Part 3.8 of the Rules of Procedure.

5. Final Written Submissions of the Parties

Following completion of the Public Hearings, and prior to the closure of the Registry, the Parties will be provided an opportunity to submit their written submissions to the Review Panel. Following receipt of final submissions from the Parties, the Developer will be given the opportunity to submit its final submission. Once all submissions have been received, the Registry will be closed. The Review Panel will consider all of the evidence on the Registry and what it heard at the Public Hearings to make its review determination.