



NUNAVUT IMPACT REVIEW BOARD

Guide to NIRB's Public Awareness and Participation Programs: The Review Process

August 2006

Note: The abbreviations ‘NIRB’ and ‘the Board’ are used interchangeably throughout this document in reference to the Nunavut Impact Review Board.

1. Why is public awareness and participation important in the NIRB Review Process ?

The NIRB operates under the principle that public participation is an important element of an open and balanced environmental assessment process. Effective public participation strengthens the quality of the NIRB’s review process and helps to avoid potential misunderstandings and conflict. The NIRB has an obligation to create opportunities for the active and informed participation of the public at every possible stage of the review process.

The NLCA, in Section 12.2.27, outlines NIRB’s obligation to inform the public for the purpose of encouraging participation in the review process:

“All necessary steps shall be taken by way of notice, dissemination of information, and scheduling and location of hearings to provide and promote public awareness of and participation at hearings”.

NIRB’s awareness program is designed to enable the public to become knowledgeable about the environmental assessment process and specific project proposals, and to provide opportunities and forums for the public to participate in the review process.

It is NIRB’s goal to encourage public participation in **all** stages of the review process which include, but are not limited to:

- Scoping Process
- Guideline Development
- Review of the Environmental Impact Statement and Supplementary Information
- Preparation of Information Requests
- **Hearings**

Informed awareness of, and active participation by, the public in the review process ¹can also ensure that local knowledge and Inuit Qaujimagajatuqangit are taken into account when NIRB assesses the impacts of a project.

2. Who is the public?

NIRB places a considerable amount of importance upon the involvement of the *general* public and potentially affected communities. The public is an inclusive term that consists of interested Parties, and the *general* public. For NIRB’s review purposes, the *general* public is:

¹ see Guide 5 – The NIRB Review Process for information on the specific steps within the review process

- Citizens of Nunavut, either individuals or organized community interest groups; and
- Citizens of Canada, living outside of Nunavut, concerned about a project.

NIRB involves different interested Parties in the review process on a project-by-project basis. Parties include local, territorial and federal Government agencies and departments; Designated Inuit Organisations; and occasionally community organisations.

In addition, members of the public may request to act an interested Party in front of the Board, bringing forth any comments through a presentation and the following question and answer period. If any member of the public desires interested Party status at a hearing, they will contact the NIRB Hearing Coordinator, and NIRB will try to ensure they have a place on the hearing agenda. Please see Section 5 of this document “*What is the role of interested Parties?*” for more information.

3. What is an affected community?

The general parameters NIRB uses to determine which communities could potentially be affected by a project proposal include, but are not limited, to those within:

- Ecosystemic boundaries; and
- Socio-economic influenced areas.

Ecosystemic boundaries can include watersheds, airsheds, and wildlife migration routes within the project area. Socio-economic influenced areas can include any areas that may be drawn upon for employment initiatives, business opportunities, project supplies or hunting areas.

4. How does NIRB facilitate public awareness of, and participation at, hearings?

The first step towards active participation in review hearings is effective public awareness of the project proposal under review. In order to meet its obligation under the NLCA, NIRB disseminates information, holds information sessions, and encourages the public to participate in hearings.

DISSEMINATION OF INFORMATION

The NIRB ensures general information is made available to the public about the NIRB review process, the project undergoing the review, and any relevant correspondence by placing it on the Public Registry (<http://ftp.nirb.ca/>). Information is also disseminated through various media forms, such as newsletters, posters, and radio announcements.

INFORMATION SESSIONS

When a project is undergoing a review, the NIRB's Hearing Coordinator will facilitate information sessions for the public in the affected communities to ensure they are aware of the NIRB review process, the project undergoing the review, and any relevant correspondence relating to the project. The Hearing Coordinator will also encourage the public to access the public registry on the internet, contact local organizations, or contact the NIRB office should they have further questions stemming from the information sessions.

Following the information sessions, NIRB will prepare a report outlining the dates, times and locations of the information sessions. Also included will be the methods of advertising, the information disseminated, and a general overview of comments and themes discussed by the public at the sessions.

PUBLIC HEARINGS

Throughout the review process, generally two sets of hearings are held; a Pre-Hearing Conference and a Final Hearing. In order to encourage participation at the hearings, NIRB will inform the public two weeks prior to the hearing by way of advertisements in regional and territorial newspapers, local posters, and radio announcements. The hearings provide a forum for parties, interveners, and the public to make comments and present information to NIRB regarding the project. Significantly, these hearings are an opportunity for the Board to give due regard and weight to the tradition of Inuit oral communication and decision making, through the participation of Elders and community members.

NIRB will make every effort to ensure that all affected communities are represented at the hearings. Additionally, NIRB makes every effort, within reasonable limits, to ensure hearings are scheduled at appropriate times of the year, respecting times when the public traditionally travels on the land, conducts harvesting activities or participates in celebrations. NIRB will also ensure the hearing proceedings are translated into Inuktitut, Inuinnaqtun and French (if requested).

5. What is the role of interested Parties in the review process?

If any member of the public desires the status of an interested Party at a hearing, the NIRB Hearing Coordinator will assist to ensure that they are aware of the requirements of their role. Interested Parties have the opportunity to actively participate in the review process in the following ways:

- Monitoring the public registry and accessing project-specific information
- Providing project-specific comments or correspondence to NIRB
- Preparing and presenting an intervention at a hearing

MONITORING THE PUBLIC REGISTRY AND ACCESSING PROJECT-SPECIFIC INFORMATION

All project information is filed and available in the Cambridge Bay office and online at NIRB's ftp site: <http://ftp.nirb.ca/>. Project information includes proposals, project information, comments received in respect to the proposed project, recommendations, and decisions.

PROVIDING PROJECT-SPECIFIC COMMENTS OR CORRESPONDENCE TO NIRB

NIRB actively solicits comments from interested Parties at each of the following stages in the review process:

- Scoping
- Guideline Development
- Review of Environment Impact Statement and Supplementary Information
- Information Requests
- Timing and Location of Hearings

This is done through correspondence to a distribution list. Interested Parties and any member of the public can contact NIRB and request to be placed upon a project-specific distribution list. Comments relating to a project can be directed to the NIRB office, and will be considered as part of the review process.

PREPARING AND PRESENTING AN INTERVENTION AT A HEARING

At any NIRB hearing, NIRB solicits comments from interested Parties. This is normally done through a presentation to the Board, followed by a question and answer period.

6. What additional information regarding the NIRB EA process is available?

A series of guides have been produced to provide information about NIRB and the NIRB process. They are all available at <http://ftp.nirb.ca/>:

- Guide 1 – The Nunavut Impact Review Board
- Guide 2 – Terminology and Definitions
- Guide 3 – Filing Project Proposals and the Screening Process
- Guide 4 – Projects Exempt from Screening
- Guide 5 – The NIRB Review Process
- Guide 6a – NIRB's Public Awareness and Participation Programs: The Review Process
- Guide 6b – A Proponent's Guide to Conducting Public Consultation for the NIRB Environmental Assessment Process
- Guide 7 – Preparation of Environmental Impact Statements
- Guide 8 – Project Monitoring
- Rules of Procedure

7. How can I contact NIRB?

NIRB's contact information:

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P.O. Box 1360
Cambridge Bay, NU X0B 0C0

Toll Free Telephone: 1-866-233-3033

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Website: <http://www.nirb.ca>

FTP Site: <http://ftp.nirb.ca/>