

ENVIRONMENTAL IMPACT REVIEW BOARD

**ANNUAL ACTIVITY REPORT
1997 – 1998**

FOR THE PERIOD 1 APRIL 1997-31 MARCH 1998

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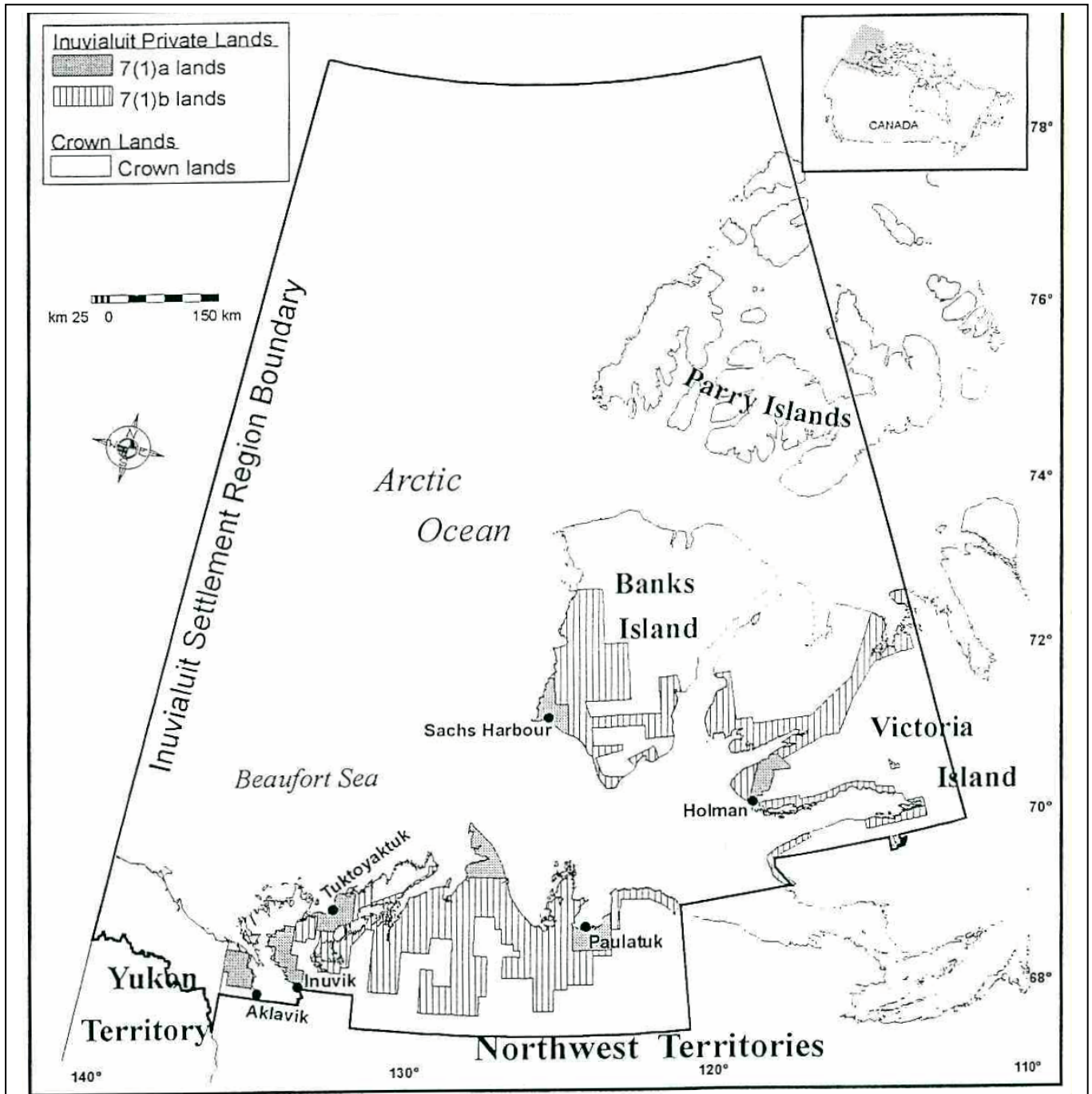


Figure 1 Private Inuvialuit lands and Crown lands within the Inuvialuit Settlement Region.

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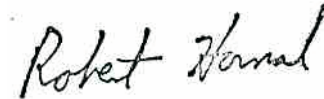
CHAIR'S COMMENTS

The EIRB held two meetings during the year, primarily to deal with the substitution of the Inuvialuit environmental review process established under the *Western Arctic (Inuvialuit) Claims Settlement Act* for the review provisions of the *Canadian Environment Assessment Act*. In February of 1998 the Board received a letter from the Minister of the Environment confirming that the Inuvialuit process could indeed substitute, on a case-by-case basis, for the federal process.

On October 30, 1997, the Board approved its new Operating Guidelines which had been under review for the past two years.

The Board did not hold any reviews during the year.

As Chairman of the Board I wish to thank my fellow board members, its secretary, Linda Graf, its advisors and the staff of the Joint Secretariat for their efforts to help the Board provide a fair but efficient review procedure for the Inuvialuit Settlement Region.



Robert Hornal
Chair

PERIOD OF REPORT

This report describes the affairs of the **Environment Impact Review Board (EIRB)** for the fiscal period 1 April 1997 to 31 March 1998.

This is the eleventh annual activity report of the **EIRB**, marking the Board's twelfth year of operation.

AUTHORITY OF THE ENVIRONMENTAL IMPACT REVIEW BOARD

The **EIRB** was established under the terms of the Inuvialuit Final Agreement (IFA) between Canada and the Committee for Original Peoples Entitlement (COPE), representing the Inuvialuit. The Inuvialuit Final Agreement was approved, given effect, and declared valid by the *Western Arctic (Inuvialuit) Claims Settlement Act* [S.C. 32-33 Elizabeth II, c.24.], on 28 June 1984.

As an environmental impact assessment and review body for any development referred to it pursuant to the Inuvialuit Final Agreement, the **EIRB** is structured so that both parties to the **IFA** are represented equally. The goals of the **IFA** that are directly relevant to **EIRB** operations are to ensure that the Inuvialuit are equal and meaningful participants in the Environmental Impact Screening and Review Process, and to protect and preserve the Arctic wildlife, environment, and biological productivity.

MEMBERSHIP

The **EIRB** itself is composed of seven people. Three Members are appointed through Order-in-Council by Canada; three Members are appointed by the Inuvialuit Game Council; and a Chair is selected by the Government of Canada with the consent of the Inuvialuit Game Council. Of the three Members appointed by Canada, one is nominated by the Government of the Yukon, one is nominated by the Government of the Northwest Territories, and one is selected by the Government of Canada.

MEMBERS DURING 1997/1998

Chair: **Robert Hornal**, Vancouver, B.C.
 Appointed by the Government of Canada (1992)
 Present Term: 9 June 1995 to 9 June 1998

Members: **Joey Amos**, Inuvik, N.W.T.
 Appointed by the Inuvialuit Game Council (1996)
 Present Term: September 1996 to September 1999

Peter Bannon, Yellowknife, N.W.T.
 Nominated by the Government of the N.W.T.
 Appointed by the Government of Canada (1992)
 Present Terms: 12 June 1995 to 12 June 1998

Tom Butters, Gillies Bay, B.C.
 Appointed by the Government of Canada (1992)
 Present Terms: 12 June 1995 to 12 June 1998

Herbert Felix, Tuktoyaktuk, N.W.T.
 Appointed by the Inuvialuit Game Council (1995)
 Present Term: September 1996 to September 1999

Noel Green, Paulatuk, N.W.T.
 Appointed by the Inuvialuit Game Council (1996)
 Present Term: September 1996 to September 1999

Andrew Williams, Whitehorse Yukon
 Nominated by the Government of Yukon
 Appointed by the Government of Canada (1995)
 Present Term: 6 July 1995 to 6 July 1998

ADMINISTRATIVE AND TECHNICAL ASSISTANCE

The **EIRB** receives administrative, technical, and clerical support from the Joint Secretariat (JS) in Inuvik. Full-time assistance is provided by the Resource Person-Environment appointed by resolution of the **EIRB** to the office of Secretary. Independent expert legal counsel and technical advice are contracted as required.

Linda Graf has held the position of Secretary to the **EIRB** from November 1995 to the present time.

In addition to Ms. Graf, during the period of this report the following individuals provided assistance to the **EIRB**.

- Administrative:*** Norm Snow, Executive Director, JS
Peggy Madore, Senior Administrative Officer, JS
- Financial:*** Judy Gordon, Finance Officer, JS (to Feb. 1998)
Shirley Kisoun, Administrative Assistant, JS (to Dec. 1997)
Angela Hunter, Finance Officer, JS
- Clerical:*** Angela Hunter, Receptionist, JS (to Feb. 1998)
Carolyn Sheppard, Receptionist, JS (Feb. to Mar. 1998)
Brigitte Wolki, Receptionist, JS
- Auditors:*** Avery Cooper and Company, Yellowknife, N.W.T.
- Legal Advisors:*** Ferguson Gifford Barristers and Solicitors, Vancouver, B.C.

OPERATING PROCEDURES

Persons who are interested in obtaining a copy of the **EIRB**'s current *Operating Procedures*, or who have questions about the **EIRB** should contact:

SECRETARY
Environmental Impact Review Board
Joint Secretariat – Inuvialuit Renewable Resources Committee
P.O. Box 2120
Inuvik, Northwest Territories
CANADA X0E 0T0

telephone: (867) 777-2828
fax: (867) 777-2610
email: eisceirb@jointsec.nt.ca

ROUTINE OPERATIONS

The **EIRB** held two regular meetings during 1997/98. The first was held on 30 October 1997 and the second on 3 February 1998. Both meetings occurred in Inuvik.

A telephone conference was held on 28 August 1997 to discuss a draft document produced by the Canadian Environmental Assessment Agency (CEAA) (refer to Activities iii).

ACTIVITIES

During the year the **EIRB** was also involved in the following activities:

- i. Substitution for Federal Review Process by the Inuvialuit Final Agreement Review Process, Ongoing

The **EIRB** continued its correspondence with the CEAA to request that the **EIRB** process be substituted for *The Canadian Environmental Assessment Act* process for developments of consequence to the Inuvialuit settlement region, as per Section 44 of the Canadian Environmental Assessment Act. In February 1998 the Honorable Christine Stewart, Minister of Environment, agreed that the **EIRB** review process addresses the key components of *The Canadian Environmental Assessment Act* and could substitute, on a case basis, for a review panel pursuant to the Act. At fiscal year-end, the CEAA was continuing its work on a draft Memorandum of Understanding between the **EIRB** and the Minister of the Environment concerning substitution.

- ii. Review of the *Operating Procedures*, March – October 1997

During 1997/98 the **EIRB** completed its review of the *Operating Procedures*. The document was revised to incorporate comments from the co-management groups arising subsequent to the Driftwood Lumber review, to incorporate comments from Parks Canada and the Department of Indian Affairs and Northern Development, and to enable the **EIRB** process to substitute for the CEAA process within the Inuvialuit Settlement Region. The **EIRB** approved the final draft for release in October 1997.

- iii. CEAA Draft criteria for Substitution of a Review Panel, August 1997

The **EIRB** reviewed the CEAA's *Draft Criteria for Approval of the Substitution of a process for an Environmental Assessment by a Review Panel Pursuant to Section 43 of the Canadian Environmental Assessment Act* and provided comments in August 1997.

iv. Redesign of the Inuvialuit Harvest Study, October 1997

During the fall 1997 the Inuvialuit Harvest Study Management Committee asked the co-management groups, including the **EIRB**, to financially contribute to the Inuvialuit Harvest Study. The **EIRB** agreed in October 1997 to contribute \$6,000 of its budget in consideration of the fact that the **EIRB** uses information that is collected by the Inuvialuit Harvest Study during reviews to determine financial compensation.

v. Proposed Amendments to the Inuvialuit Final Agreement, October 1997

In fall 1997, the Inuvialuit Game Council asked the **EIRB** to review the proposed amendments to the Inuvialuit Final Agreement. The **EIRB** concentrated its review on those sections dealing with the screening and review process and provided the Inuvialuit Game Council with comments in November 1997

vi. Indemnification Insurance, October 1997-March 1998

The **EIRB** sought insurance coverage in coverage 1997 to indemnify its Members from the repercussions of any legal action in which they might be involved by reason of being a member of the **EIRB**. The **EIRB** successfully obtained insurance from the private sector in March 1998.

vii. Environmental Impact Screening Committee's *Operating Guidelines and Procedures*, October 1997

The **EIRB** reviewed the Environmental Impact Screening Committee's *Operating Guidelines and Procedures* and submitted comments in October 1997

viii. Draft Cumulative Effects Assessment Practitioners Guide, February 1998

The **EIRB** reviewed the CEAA's Draft *Cumulative Effects Assessment Practitioners Guide* and submitted comments during a workshop held in Yellowknife during February 1997.

ix. Adjacent Land Claim Groups, February 1998

The **EIRB** reviewed the status of the screening and review process of the Gwich'in, and the Council of Yukon First Nations land claims. The **EIRB** also discussed the role that the CEAA plays in the north and the degree to which the Inuvialuit Final Agreement would be acknowledged within the Yukon Development Assessment Process.

MEETINGS, WORKSHOPS, CONFERENCES

During the fiscal year, the **EIRB** or its representatives attended the following meetings, workshops, or conferences.

- x. 17th Annual International Association for Impact Assessment Meeting, New Orleans, Louisiana, 27-31 May 1997
- xi. Federal Sustainable Development Strategy: North of 60° Public Consultation Session, 4 June 1997, Inuvik, and N.W.T.
- xii. American Association for the Advancement of science Meeting, 24-27 September 1997, Valdez Alaska
- xiii. 5th Yukon North Slope Conference, 29 September-October 1997, Dawson Yukon
- xiv. Long Term Research Planning Workshop for the North Slope, 2-3 October 1997, Dawson Yukon
- xv. Environmental Assessment Managers of the N.W.T. Meeting, 15-16 October 1997, Yellowknife, N.W.T. (Presentation)
- xvi. N.W.T. association for Impact assessment Meeting, 16 October 1997, Yellowknife, N.W.T. (Presentation)
- xvii. Environmental review and Permitting workshop, 21 November 1997, Inuvik, N.W.T. (Presentation)
- xviii. 25th Annual GeoScience Forum, 26-28 November 1997, Yellowknife, N.W.T. (Display)
- xix. Inuvialuit Game Council Meeting, 11 December 1997, Inuvik (Presentation)
- xx. N.W.T. Association for Impact Assessment, 22 January 1998, Teleconference
- xxi. CEAA Information Session, 9 February 1998, Yellowknife (Presentation)
- xxii. Draft Cumulative Effects Assessment Practitioners Guide Consultation Session, 10 February 1998, Yellowknife, N.W.T.
- xxiii. Cumulative Effects Assessment Course, 23-27 February 1998, Banff, Alberta
- xxiv. Research Priorities Workshop: Tukot Nogait National Park, 7-9 March 1998, Inuvik, N.W.T.

GUESTS

- i. Mr. Chris Lemon, Lawyer, Ferguson Gifford Barristers and Solicitors, Vancouver B.C. 28 August 1997

Mr. Chris Lemon was asked to be on-line for the **EIRB**'s special meeting (telephone conference) held August 1997. Me Lemon provided a legal opinion regarding the CEAA's *Draft Criteria for Approval of the Substitution of a Process for an Environmental Assessment by a Review Panel Pursuant to Section 43 of the Canadian Environmental Assessment Act*.

- ii. Mr. Gerry Roy was invited to attend the 30 October 1997 meeting to address questions of the **EIRB** regarding the ability of a beneficiary of an adjacent land claim to sit on an **EIRB** Review Panel in the event that there is a matter of mutual concern.

FINANCES

Funding for the Chair, Canada Member and the Secretary of the **EIRB**, and for reviews conducted by the **EIRB**, is provided by way of Contribution Agreements with the Department of Indian Affairs and Northern Development (DIAND). Funding for the Inuvialuit members is provided by way of a Contribution Agreement with the Government of the Northwest Territories. A summary of the finances is attached as Appendix A.

APPENDIX A
FINANCIAL SUMMARY

These unaudited financial summaries are included for information purposes only and should not be considered as definitive statements of account. For full financial details, the audited financial statement of the Joint Secretariat should be consulted. For further information, contact:

Executive Director
Joint Secretariat-Inuvialuit Renewable Resource Committees
P.O. Box 2120
Inuvik, Northwest Territories
CANADA X0E 0T0

ENVIRONMENTAL IMPACT REVIEW BOARD – CHAIR & CANADA MEMBER

**1997-1998 Contribution Agreements – DIAND
For the Period Ending March 31,1998**

REVENUE

DIAND Contribution **\$ 53,697.00**

EXPENDITURES

Chairman – Honoraria 23,093.42
Chairman - Per Diem 1,333.59
Chairman – Travel 11,016.42
Chairman - Accommodations 3,031.14
Office Costs 1,444.37
Meeting Costs 1,950.26
Telephone & Fax 1,090.31
Legal/Consulting 7,626.67
Canada Member – Honoraria 487.50
Canada Member - Per Diem 23.75
Canada Member -Travel 487.24
Canada Member - Accommodation 64.01

51,648.68

EXCESS REVENUE (EXPENDITURE) \$ 2,048.32

ENVIRONMENT IMPACT REVIEW BOARD-INVIALUIT PARTICIPATION

FOR THE YEAR ENDING MARCH 31, 1998

REVENUE

Government of the Northwest Territories **\$ 33,000.00**

EXPENDITURES

Honoraria 4,666.76

Per Diem 1,186.20

Travel 7,256.69

Accommodations 2,890.34

Meeting Costs 3,508.64

19,508.63

EXCESS REVENUE (EXPENDITURE)

\$ 13,491.37

ENVIRONMENT ADMINISTRATION

**1997-1998 Contribution Agreements – DIAND
FOR THE YEAR ENDING MARCH 31, 1998**

REVENUE

DIAND Contribution **\$ 101,026.00**

EXPENDITURES

Staff Salaries & Benefits 60,695.41
Office Consumables 3,948.50
Fixed Assets 0.00
Office Rent 10,780.00
Telephone & Fax 2,698.10
Meeting Costs 2,316.92
Travel 11,236.25
Accommodations 3,655.71
Per Diem 1,214.81

96,545.70

EXCESS REVENUE (EXPENDITURE)

\$ 4,480.30