

Land and Water Boards of the Mackenzie Valley

The Public Hearing Process in a Nutshell

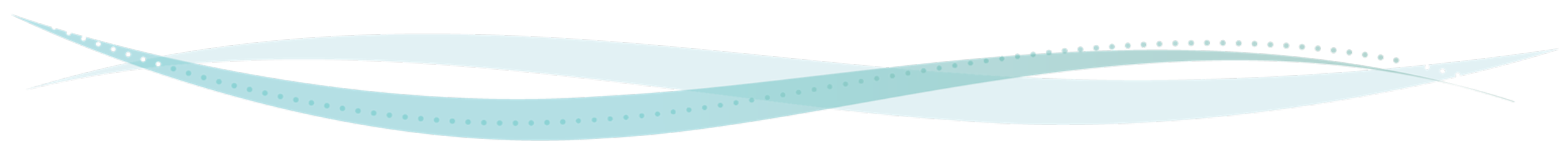


Why do the Land and Water Boards hold a Public Hearing?

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- Required under the *Waters Act* and the *Mackenzie Valley Resource Management Act* in some circumstances, such as for the issuance of a Type A water licence; and
- If the Board feels it would be in the public interest (section 24 of the MVRMA).



General Overview of the Application Process

Land Use Permit	Water Licence
Application deemed complete	
Application sent out for review and comment	
Preliminary screening – may get sent for Environmental Assessment	
Public hearing unlikely	Public hearing likely (for Type A' s)
<42 days for Board decision	Timeline (9 months) *does not include proponent time

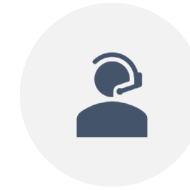
The Public Hearing Process Here are the steps:



APPLICATION



PRELIMINARY
SCREENING



INFORMATION
REQUESTS /
TECHNICAL SESSION



INTERVENTIONS /
HEARING
PRESENTATIONS



PUBLIC HEARING



DRAFT WATER LICENCE
(WL) AND LAND USE
PERMIT (LUP)



BOARD DECISION
(INCLUDING REASONS
FOR DECISION)



MINISTER APPROVAL

Strategies for effective Public Hearing presentations

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1. **Be specific** about the impacts that concern you
2. Thoughts are **well organized**, this helps guarantee more confidence in your delivery
3. Take your comments to the next level, and consider providing **recommendations about potential conditions.**
4. Speak to the Board, not the audience
5. **Focus on your main points**
6. Build confidence by practicing ahead of time
7. If using a PowerPoint presentation;
 - No more than five to seven key points per slide
 - Large clear font
 - Point form statements; and
 - Easy to read colours.

- Same process as any other application:
 - Deem complete;
 - Send to Reviewers;
 - Compile Comments;
 - Draft Preliminary Screening Report; and
 - Present as an update to the Board
–Board decisions required at this point for the preliminary screening only.

Page 1 of 6

Land and Water Boards of the Mackenzie Valley



Information Requests/ Technical Sessions

- Provide an opportunity to request additional information from the applicant and discuss outstanding issues prior to the Public Hearing:
 - Compile information from the application review process;
 - Identify and discuss major topics or themes of concern identified by reviewers; and
 - Identify and consolidate outstanding issues or concerns to be addressed during the Public Hearing.

Interventions / Hearing Presentations

- Interventions are the last chance for reviewers to present **evidence** to the Board.
 - The **Public Hearing** presentations must contain the same evidence as identified in the Interventions.
 - Both are submitted to the Board prior to the Hearing and should clearly identify
 - 1) a comment or concern;
 - 2) a recommendation for the WL (or LUP) (e.g. a condition); and
 - 3) a rationale to support the recommendation.

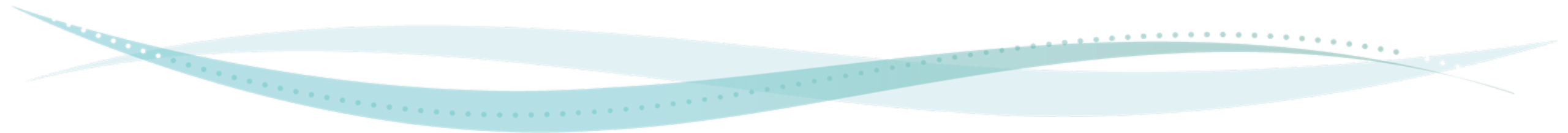


Public Hearing

- Offers applicants, interested parties, and members of the public an opportunity to present evidence and argument about a proposed project directly to the Board.
- The Board uses the **evidence** from the Public Hearing to develop conditions for the application under review.
- Transcripts and translation/interpretation services are available.
- The **Rules of Procedure** outline the roles and responsibilities of parties.

Draft Water Licence and Land Use Permit

- The Board considers the evidence presented before and during the Public Hearing in the development of conditions for the proposed development; and
- The Draft Water Licence or Land Use Permit is sent back to reviewers for review and comment (no new evidence can be submitted at this point).



Board Decision and Minister Approval

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- Staff present the Draft Water Licence and Permit to the Board for decision. The licence and permit conditions are developed to minimize impacts on the environment;
 - A Reasons for Decision document is developed to explain and support the Board's decisions on the Application(s); and
 - Ministerial sign off is required for Type A water licences and Type B water licences where a public hearing is held. The Minister of CIRNAC for federal areas and the Minister of ENR – GNWT for non-federal areas.
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