INFORMATION SESSIONS

PRE-SUBMISSION ENGAGEMENT FOR EXECUTIVE COMMITTEE SCREENINGS

INFORMATION SESSIONS

October 22, 2020
Session Overview

1. Pre-Submission Engagement – Refresher & Background
2. PSE Framework – Overview & Updates
3. PSE Rules Review – Next Steps
4. Questions
What is Pre-submission Engagement

PSE - a front-end process that occurs before a project proposal is submitted for screening by the Executive Committee (EC).

Purpose - to bring interested and affected parties together to review project requirements well in advance of a detailed proposal being submitted for assessment.

PSE - leverages the interests and information needs of - affected First Nations & communities, government regulators & technical experts, assessors, the general public and proponents – earlier in the assessment process.
PSE is in response to feedback from various sectors on EC screening process:

1. Length of time in adequacy review phase; frequency and complexity of proponent information requests;

2. Need for earlier involvement of potentially affected First Nations and communities in identifying values and potential impacts on values;

3. Demands for more project-specific guidance on information requirements prior to proposal submission.

Early engagement has proven to be an effective approach in other environmental assessment regimes across Canada.
Objectives:

1. To be an effective, proactive opportunity for early engagement

2. To enable early and collaborative identification of issues and information gaps (collaborative scoping);

3. To provide project-specific guidance to proponents; and

4. To reduced likelihood of “surprises” once a proposal is submitted for a screening.
PSE Framework

Requirements

PSE Process is mandatory - all sectors, tailored to project specific situations

PSE Process is public - publicly accessible (YOR and input opportunities at specific phases)

PSE Process will be time bound – process will likely have specific timelines (still under development)

PSE will be established in the Rules for Screenings by the Executive Committee
PSE Framework

- Development of PSE Framework: April - November 2018
- Board Approval of PSE Framework: December 2018
- Engagement (#1): January - February 2019
- Participant Input Report – August 2019
- Revised PSE Framework – October 2019
- Independent Research Report - January 2020
- PSE Rules - Drafting: February 2020 - present
PSE Framework – Overview

Ongoing development of project proposal and project design by Proponent (e.g. major mine preliminary economic assessment, pre-feasibility and feasibility studies)

Proponent engagement with First Nations and communities
### PSE Framework - Process Overview

#### Ongoing development of project proposal and project design by Proponent (e.g., major mine preliminary economic assessment, pre-feasibility and feasibility studies)

|-------------|----------------------------------------|--------------------------------|--------------------------------------|--------------------------------------|--------------------------|---------------------|-------------------|

<table>
<thead>
<tr>
<th>Who</th>
<th>Executive Committee (EC), Proponent, Participants</th>
<th>Executive Committee, Proponent, Participants, Public</th>
<th>Proponent</th>
<th>Executive Committee Proponent Participants, Public</th>
<th>Executive Committee</th>
<th>Executive Committee, Proponent</th>
</tr>
</thead>
</table>

| What | A) PSE Process begins when a Proponent submits Project Description that complies with requirements. Participants* are notified, review process and timelines set. | EC develops a draft Project Proposal Guideline (PPG) setting out specific information requirements. Participants and public provide input. EC releases final PPG. | Proponent collects baseline or other information and prepares a Project Proposal Guideline Response (PPGR) describing how requirements are met. | Review process and timelines are set. Participants and public input. Any information gaps or outstanding issues are identified. | EC develops Project Proposal Report that sets out project proposal requirements as per Rules and identifies any outstanding information required in the project proposal. | Proponent finalizes Project Proposal and submits to EC. EC conducts a compliance check as per Rules and YESAA. EC initiates assessment if requirements are met. |

<table>
<thead>
<tr>
<th>Timing</th>
<th>A) Set by Proponent (submission of project description)</th>
<th>Set by Executive Committee</th>
<th>Set by Proponent [24 month withdrawal provisions]</th>
<th>Set by Executive Committee after participant discussion</th>
<th>Set by Executive Committee</th>
<th>Timing prior to submission is set by Proponent [24 month withdrawal provisions]</th>
<th>Timing after submission set by Executive Committee</th>
</tr>
</thead>
</table>

| Public Participation | No, Project Description on YESAB Online Registry (YOR) | Yes, YOR public comment period | No, Guideline Response on YOR | Yes, YOR public comment period | No, Project Proposal Report on YOR | No, Project Proposal on YOR |

|-----------|----------------------------------------|-----------------------------------|-----------------------------|-----------------------------|---------------------|-----------------------------|

* Participants – Government Decision Bodies, affected First Nations
PSE Framework

Updates since 2019 Engagement:

Project Description submission process (Project Description Requirements)

Proponent withdrawal provisions / timing

Proponent-driven Project Changes during PSE

End of PSE process and Project Proposal submission (compliance check)

Initiation of Assessment – public comment periods
PSE Outstanding Issue

Whether to adopt **timelines** in the Rules

Options:

1. Set timelines per phase with minimums and maximums
2. Overall maximum for PSE process
3. Project specific with service standards (2018 Framework)

Service Standards & Participant Input

Other Jurisdictions
PSE Rules development underway

Working with an experienced legislative drafter – Lawrence Purdy

Rules to support PSE:
- Targeted rules review
- Replace Part 3 of the Screening Rules (Adequacy Review)
- Make consequential amendments to other parts of the Screening Rules

YESAA – Rules Gazette Process
PSE – Next Steps

- Outstanding Issue Resolution & finalize proposed Rules – December
- Gazetting (60 days) – early 2021
- Implementation Planning – Guidance Documents, YOR, Orientation
- Publish Rules – spring 2021
- Implementation/Coming into Force – Summer 2021
- Transition

[YESAB website – PSE](#) for information and timing
Conclusion

? Questions ?