

## **Designated Office Rules Review**

### **Background**

YESAB is undertaking revisions to the *Rules for Evaluations Conducted by the Designated Office* (DO Rules). The DO Rules provide the structure for assessors to conduct neutral assessments and set out timelines, opportunities for participation, and the processes that occur at each phase of the assessment. The Designated Office rules review (DO rules review) will focus on changes to the current rules. The Board is ultimately responsible for making the rules and leading this initiative.

YESAB is proposing to develop categories of evaluation for different types of projects, a new Completeness Check process before projects enter the evaluation, and rules that set out procedures for undertaking the assessment process. The proposed changes represent significant revisions to the current DO Rules.

The purpose of DO rules review is to replace the current rules and help enhance the timeliness, effectiveness and efficiency of the evaluation process, as set out in YESAA. They are separate from other external YESAA processes such as the YESAA targeted amendments and the 2027 YESAA Review.

### **Why?**

The Yukon is a very different place than it was a decade ago and a single approach to conducting evaluations is no longer workable. The DO Rules were last updated in 2010. Since then, assessment practices have evolved, interest and participation in assessments have grown, and expectations of the assessment process have changed. Proposed changes to the rules support Designated Offices, proponents in completing evaluations more effectively and participants' engagement in the assessment process.

### **DO Rules Engagement**

The majority of YESAB's work occurs at the Designated Office level and Designated Office evaluations account for approximately 98% of the assessment work. YESAB wants to hear from all participants involved in the DO level projects e.g. government regulators, technical and Traditional Knowledge experts, proponents and individual



members of the public. YESAB will be conducting in-person and online information sessions to meet with various participants in advance of the publication process. The information sessions allow participants to learn about the proposed changes and ask questions. There are two opportunities to provide input on specific changes to the DO Rules; through a public survey (accessed through YESAB's website) and then later during the *Canada Gazette* input period. The proposed DO Rules will be available at the formal 60-day *Canada Gazette* period. During the public survey period, written comments can be submitted to YESAB. For more information, visit <https://yesab.ca/do-rules-review>.

An illustration of the engagement process is shown below:



## DO Rules Proposed Changes

These are some changes proposed for the DO Rules:

- All project proposals submitted undergo a **Completeness Check** before the evaluation and the “clock” begins.
- The development of **different categories of evaluation**. After the proposal is deemed complete, it is categorized as a Simple, Standard or Complex evaluation and enters **Technical Review**. There are a number of factors that help determine which evaluation stream a project will be assessed under.
- Simple evaluations will have shorter timelines and Standard evaluations will have similar timelines to the current DO evaluations.
- Complex evaluations will have a mandatory, **Early Engagement** process which begins when key participants are invited to comment on the project proposal during Technical Review, before the public comment period. All participants including the public will have

an opportunity to comment on a draft Evaluation Report before the final recommendation is issued by the Designated Office.

- Procedures for submitting comment deadline extension requests during comment periods.

## FAQ's

### 1. What are the Designated Office rules?

The *Yukon Environmental and Socio-economic Assessment Act* (YESAA) outlines the Board's authority and responsibilities for making rules, including those governing evaluations conducted by the Designated Offices. The rules approved by the Board establish the framework for how Designated Office evaluations are carried out. The DO Rules provide structure for assessors to conduct neutral assessments and define timelines, opportunities for participation, and the processes involved at each phase of the assessment.

### 2. Why are the Designated Office rules being reviewed?

The [DO Rules](#) were last updated in 2010 and since then, assessment practices have evolved, interest and participation in assessments have grown, and expectations of the assessment process have changed. Revisions to the rules will enhance the timeliness, effectiveness and efficiency of the evaluation process, as set out in YESAA.

### 3. Why are categories of evaluation being developed?

Under the Board's authority, rules can be established for different types of evaluations for different categories of projects. A single approach to conducting evaluations is no longer viable. Three categories of evaluation are being proposed – Simple, Standard and Complex. A project is categorized based on several factors. Different timelines and processes are available to support the completion of the evaluation as efficiently as possible.

### 4. Will the time it takes for a project to undergo an evaluation change?

The introduction of Completeness Check is intended to support stronger project proposals from the outset, resulting in fewer information requests about project activities. The proposed DO Rules will establish different timelines for each category of evaluation.

- Standard evaluations will follow timelines similar to those in the current rules.
- Simple evaluations will have shorter timelines and a simplified evaluation report.

- Complex evaluations will benefit from early engagement with key participants to support meaningful involvement at the beginning of the process.

5. What is unique about the Complex category of evaluations?

Complex evaluations involve additional, mandatory processes such as Early Engagement, where key participants are invited to comment on the project proposal during Technical Review. All participants including the public will be given the opportunity to comment on a draft Evaluation Report before the final Evaluation Report is issued by the Designated Office. While timelines will run longer for this category, Early Engagement opportunities will result in a better project proposal.

6. How can I provide comments on the proposed changes?

It is recommended to read the Designated Office Reviews Backgrounder and listen to the presentation. There are three ways to provide comments on the proposed changes:

- complete a public survey available on the website,
- provide written comments to YESAB during the engagement, and
- submit written comments during the formal Canada Gazette publication period.

YESAB will advise participants of the Gazette Period, anticipated in late 2025;

7. When will the new DO Rules come into effect?

YESAB recognizes the importance of implementing the revised DO rules as quickly as possible. Depending on the outcome of the Gazette comment period and feedback received, the new DO Rules could come into effect as early as Spring of 2026.