

Pre-Submission Engagement for Executive Committee Screenings

- BACKGROUNDER -

The Yukon Environmental & Socio-economic Assessment Board (YESAB) has developed a new Pre-submission Engagement (PSE) process for Executive Committee screenings. PSE will support early and meaningful engagement and provide proponents with better guidance on project proposals. The process represents a major change to the screening process.

The purpose of pre-submission engagement is to bring interested and affected parties together to review project requirements well in advance of a detailed proposal being submitted for assessment. This helps identify gaps and issues of concern, define values and baseline information requirements and ensure a timely and certain screening process.

Why?

YESAB has heard from proponents and their consultants about how to provide better guidance to support an effective and efficient Executive Committee (EC) screening process. Suggested improvements include developing project-specific guidance on information requirements through a 'front-end' terms-of-reference-like approach. Early public dialogue about the project and the values that could be affected by the project are integral to this approach.

Early engagement has proven to be an effective approach in other environmental assessment regimes across Canada. Several jurisdictions are currently developing new early engagement processes; for example, in British Columbia through the 'EA-Revitalization Process'¹ and the Government of Canada through the proposed *Impact Assessment Act* (Bill C-69)².

¹<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/environmental-assessments/environmental-assessment-revitalization>

PSE Objectives

- Provide an effective, proactive opportunity for early identification of issues and information requirements with the Executive Committee, proponent, government decision bodies and regulators, First Nations, communities and the public.
- Provide project-specific guidance to proponents on information requirements.
- Ensure issues and information gaps are identified prior to project proposal submission.
- Minimize the likelihood of new issues arising during the screening.

PSE Engagement to Date

In October 2016, the Board approved a concept paper for a PSE process. YESAB met with various participants in 2017 to test the concept and obtain feedback, specifically, from proponents, consultants, and governments (Yukon, First Nations, and Canada). Feedback was generally supportive of the concept; however, many questions were raised as to how the process would work.

Since then the PSE process has been refined into a detailed **Framework** based on participant and Executive Committee feedback, additional policy research, jurisdictional reviews and previous screenings experience. **Project Description Requirements** have also been prepared. Both documents can be found on YESAB's [website](#) *(as of 01-18-2019)

²<https://www.canada.ca/en/services/environment/conservation/assessments/environmental-reviews/bill-c-69.html>

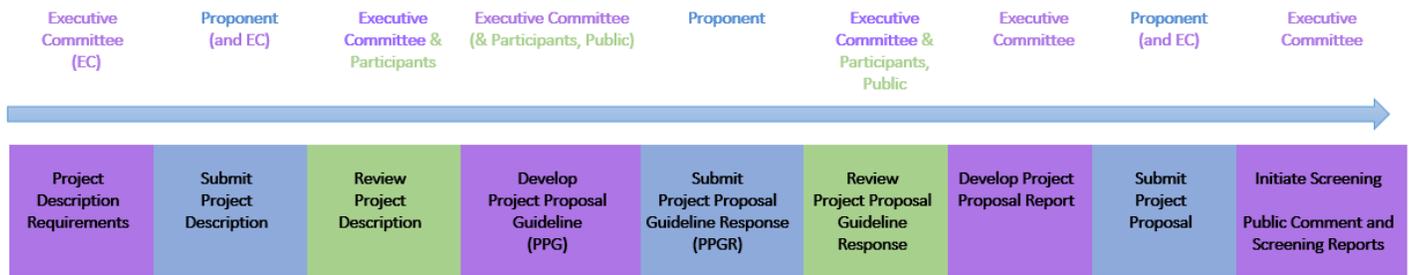
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PSE at a Glance



Key Components

The PSE process will be mandatory and apply to all sectors with timelines set on a project-by-project basis based on the size and complexity of the project. The process will be led by the Executive Committee and involve multiple participants – the proponent, government decision bodies and regulators, First Nations, communities, and the public.

The PSE process will include the following key components:

- Project Description Requirements
- Project Proposal Guideline
- Project Proposal Guideline Response
- Project Proposal Report

These components will help provide proponents with greater certainty over information requirements based on input from participants.

Benefits

The PSE process will benefit participants in various ways as shown below:

Proponents	First Nations	Government Decision Bodies & Regulators	Public
<ul style="list-style-type: none"> ✓ Process, timelines and expectations clarified up front ✓ Identification of project specific information requirements prior to proposal submission ✓ Early identification and engagement with affected First Nations, government decision bodies / regulators, and the public ✓ Earlier project scoping 	<ul style="list-style-type: none"> ✓ Early engagement and meaningful participation with proponent and governments ✓ Involvement in scoping, identifying values and information requirements ✓ Identification of rights that could be impacted and need to be considered in the screening ✓ Concerns and issues better heard and understood 	<ul style="list-style-type: none"> ✓ Early identification of issues and information requirements ✓ Clear links to requirements in subsequent permitting processes ✓ Alignment of project design with regulatory requirements ✓ Involvement in assessment scoping 	<ul style="list-style-type: none"> ✓ Early participation in project assessments ✓ Ability to identify issues to help inform project design

For more information on the PSE process please visit YESAB's website www.yesab.ca

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Pre-Submission Engagement - Frequently Asked Questions

1. Why has the PSE process been developed?

The process has been developed in response to requests for better project-specific guidance on project proposals and to meet expectations for earlier public involvement in the Executive Committee screening process.

2. Will PSE apply to all projects?

Yes. Pre-submission engagement will be required in all sectors and for all projects that require an Executive Committee (EC) screening. However, the process will be tailored to meet individual project circumstances. This will enable process certainty and predictability while allowing the flexibility to accommodate specific project requirements. The PSE process will not apply to Designated Office Evaluations.

3. Will the process be time bound?

Yes. Timelines will be established under the PSE process but on a project-by-project basis; there are no universally applicable timelines. The time required to complete the PSE process will vary based on a number of factors including project complexity, location, proponent preparation, First Nations and local interests. Timelines will be established and documented by the Executive Committee with participant input.

4. Will the new process make the screening process longer?

No. Time spent in the new PSE process will offset the time currently spent addressing information requests. More precise, targeted and assessment-relevant information in project proposals will mean more informed screenings and will reduce and/or eliminate the need for assessors to request supplemental information.

5. Is the PSE Process accessible to the public?

Yes. The PSE process will be publicly accessible. Documents will be accessible via YESAB's On-Line Registry (YOR) and opportunities to provide focused input on the project description and information required for the screening will be established. The public will continue to have opportunities to provide comments in later stages of the screening process.

6. How will the PSE Process be administered?

The Executive Committee will administer the PSE process (e.g. timelines, roles and responsibilities) on a project-specific basis. The EC will establish and document key elements of the process informed by the input of participants and operational requirements.

7. Will the Executive Committee Rules be changed?

Yes. The PSE process will impact the current screening process as set out in the *Rules for Screenings Conducted by the Executive Committee*. The Rules will be revised to support the implementation of the PSE process.

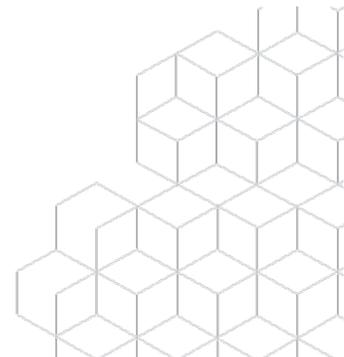
8. When will the new process come into effect?

YESAB estimates that the new PSE process will come into effect in late Fall 2019, after the review of Executive Committee Rules is completed. The process will apply only to projects submitted after the Executive Committee Rules come into effect.

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Contact Information

Participant and public views on implementing the PSE process are important. Individuals can provide their comments to YESAB at the contacts below.

Comments will be accepted until **February 28, 2019**.

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