

Appendix E

Nunavut Impact Review Board's 10 Minimum Requirements for EIS

10 Minimum EIS Requirements

1. Statement of Consultation Principles and Practices

The Proponent must conduct pre-project consultations with locally affected persons. Where at all possible, information about the project must be distributed, and comments collected with a view to resolving any differences. Discussions should include, but not be limited to, land uses, policies, resource uses, archaeological areas, infrastructure, and terrain sensitivities. Inuit cultural concerns must be highlighted throughout. The Proponent shall explain where, how, why, and with whom it conducted public consultation, and shall demonstrate an understanding of the rights, interests, values, aspirations, and concerns of the potentially affected communities. All comments from the public must be summarized, documented, and presented in the EIS.

2. Definition of Project

A definition of the project must include a discussion of any connected or subsequently related projects in order to reveal the primary purpose and better understand complex or multi-staged related proposals.

3. Statement of Project's Purpose

Based on the concepts of the precautionary principle and sustainable development, an EIS must contain a statement explaining the need for, and the purpose of the project. Where further economic development is needed for a given area, the Board expects the deficiencies in the economic status quo to be stated.

4. Anticipated Impacts Analysis

A comprehensive impact assessment must be carried out which includes, but is not limited to, environmental effects that are likely to result from the project in combination with other projects or activities that have been, or will be, carried out. Anticipated impacts include short and long-term, direct and indirect, positive and negative, cumulative, socio-economic, archaeological and cultural impacts. This element of the EIS must include a mitigation analysis that explains how the impacts could be avoided, minimized, cured, eliminated, or compensated.

5. Cumulative Effects Analysis (CEA)

Cumulative effects must be analyzed for all Part 5 Reviews. A project proposal causes a cumulative effect if, when added to other projects in the region, or projects reasonably foreseeable in the region, will cause an additive effect. A comprehensive examination of all cumulative effects must be included in an EIS.

6. Significant Effects Analysis

The Board must be advised of the significant impacts of the project. This should be based upon:

- the project setting, taking into account the location's unique ecosystemic characteristics, and
- the severity of the impacts, taking into account, but not limited to public health, land use plans, protected areas, habitat, or species, public concern, etc.

Ultimately, the Board will decide which effects are significant and report to the Minister accordingly.

7. Project Alternatives

This requirement includes, but goes well beyond, alternative means of carrying out the project that might be economically and technically feasible and the environmental effects of those alternative means. This assessment must include the "no-go" or "no-build" alternative, as well as the "preferred" alternative. The "no-go" alternative is not only a potentially stand-alone option; it also serves as a baseline for comparison with other development alternatives that might reasonably be proposed in the circumstances.

8. Sustainability Analysis

The EIS must contain an analysis of the ability of renewable resources affected by the project to sustain current and future generations in Nunavut and Canada.

9. Monitoring or Post-Project Analysis (PPA)

The purposes of a PPA are to:

- measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;
- determine whether and to what extent the land or resource use in question is carried out within the predetermined terms and conditions;
- provide the information base necessary for agencies to enforce terms and conditions of land or resource use approvals; and
- assess the accuracy of the predictions contained in the project impact statements.

10. Trans-Boundary Effects Analysis

Where relevant, an EIS must include an assessment of all significant adverse ecosystemic or socio-economic trans-boundary effects.