

September 27, 2023

Note to File

RE: EA2425-01—Line 490 Replacement Project, Imperial Oil N.W.T. LTD.

Discussion between Review Board and GNWT staff

On April 18, 2025, Nathen Richea and Lorraine Seale from GNWT-Department of Environment and Climate Change, met with Mackenzie Valley Review Board Executive Director, Mark Cliffe-Phillips, to discuss some issues related to EA2425-01 for Imperial Oil NWT Ltd.'s Line 490 Replacement Project. A discussion took place on what process was available for the Board and parties to address the scope and number of information requests (IRs) that a developer or any other party may have directed to them. Mr. Cliffe-Phillips stated that the Board outlines how it treats information requests in both its Rules of Procedure (Rules 35-40) and reiterates this process in notice of proceedings during each the information request phase within an individual EA process. It was clarified by Mr. Cliffe-Phillips, that IRs must be within the scope of assessment and relevant to the proceeding. If a party feels that an Information request is outside of the scope of assessment or not relevant to the proceeding, they may request a Ruling of the Board under Rule 52.

GNWT-ECC staff brought forward concerns that there were potentially many IRs in the Line 490 EA that could be interpreted as outside of the scope of the EA or not relevant to the proceeding. Mr. Cliffe-Phillips stated that Imperial Oil was provided an opportunity to request a ruling of the Board if it felt that any IRs were outside of the scope of assessment or not relevant to the proceeding in the Review Board's February 25, 2025 Notice of Proceeding. Imperial Oil decided not to pursue a request for ruling in this instance and responded to the substantial number of IRs directed to them by parties on their own discretion.

Additionally, GNWT staff and the Review Board Executive Director discussed future EA procedural steps and the process for if any new information or evidence is to be brought forward during the Public Hearing Phase. Mr. Cliffe-Phillips described the process as outlined in the Rules of Procedure and that additional clarification can be detailed in the Pre-Hearing Conference(s).

For questions or more information, please contact Senior Environmental Assessment Analyst Simon Toogood (867-766-7053 or stoogood@reviewboard.ca).