



Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits

DRAFT

Mackenzie Valley Land and Water Board
Gwich'in Land and Water Board
Sahtu Land and Water Board
Wek'èezhìi Land and Water Board

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Definitions and Acronyms

Term	Definition
Aboriginal organization/ government	An organization representing the rights and interests of a First Nation, (as defined in section 2 of the MVRMA) Métis, or Inuit, a Tlicho First Nation, or the Tlicho Government
affected community	A community that is predicted to be affected—either adversely and/or beneficially—by a proposed project
affected party	A party that is predicted to be affected—either adversely and/or beneficially—by a proposed project, such as a community, organization, individual, or business
Boards	Land and Water Boards of the Mackenzie Valley, as established by the <i>Mackenzie Valley Resource Management Act</i>
engagement	The communication and outreach activities a proponent is required, by the Boards, to undertake with affected parties prior to and during the operation of a project, including closure and reclamation phases
GLWB	Gwich'in Land and Water Board
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resources Management Act</i>
NWT	Northwest Territories
project	Any development that requires a land use permit or water licence
proponent	Applicant for, or holder of, land use permits and/or water licences
SLWB	Sahtu Land and Water Board
stakeholders	Industry, federal agencies, the territorial government, Aboriginal organizations/governments, affected communities, and other parties with an interest in a project
WLWB	Wek'èezhìi Land and Water Board

1.0 Introduction

The Land and Water Boards of the Mackenzie Valley¹ (the Boards) have established a policy entitled, *Engagement Policy* (the Policy). The purpose of the Policy is to provide clarity and certainty to proponents and stakeholders on the Boards' expectations of proponents in relation to engagement activities.

The Policy defines engagement as “the communication and outreach activities a proponent is required, by the Boards, to undertake with affected parties prior to and during the operation of a project, including closure and reclamation phases”. As per the Policy, engagement is one of the processes that the Boards expect proponents to apply as a way of enabling residents to actively participate in the management of resources.

Engagement is the first step in a proponent's connection with the affected parties. Part of ensuring a “best possible” scenario for the progress of an application or submission is for all concerned to understand the need for and the potential of good engagement.

1.1 Purpose of the Guidelines

The purpose of the *Engagement Guidelines* (the Guidelines) is to support the Boards' Policy framework for engagement. Specifically, they assist and guide proponents to conduct engagement activities as required by the Boards by:

- Outlining requirements for engagement activities prior to the submission (pre-submission) of an application or document to the Boards;
- Addressing the requirements for engagement during the life of the project (engagement planning); and
- Providing a list of suggested best practices to increase the likelihood of effective engagement.

The Guidelines endeavour to outline which engagement activities are mandatory, may be required, and which activities are recommended as best practices. A table is provided in section 5.0 that outlines specific engagement requirements for various submissions to the Boards.

1.2 Authority

The Boards have created the Guidelines under the authority of section 65 of the MVRMA which states:

¹ Land and Water Boards of the Mackenzie Valley include the Mackenzie Valley Land and Water Board, Gwich'in Land and Water Board, Sahtu Land and Water Board, and Wek'èèzhii Land and Water Board.

Subject to the regulations, a board may establish guidelines and policies respecting licences, permits and authorizations, including their issuance under this Part².

1.3 How The Guidelines Were Developed

Section 106 of the MVRMA allows the MVLWB to “issue directions on general policy matters or on matters concerning the use of land or waters or the deposit of waste that, in the board’s opinion, require consistent applications throughout the Mackenzie Valley.” The MVLWB is implementing this provision through the establishment of the Standard Procedures and Consistency Working Groups.

The Engagement and Consultation Working Group was created and mandated by the MVLWB to research and identify the role of the Boards with regard to engagement and consultation.

1.4 Monitoring and Performance Measurement for the Guidelines

Mechanisms will be required to monitor and measure performance and to evaluate the effectiveness of the Guidelines. In accordance with the principles of a management systems approach (e.g., plan-do-check-act), the MVLWB will develop a performance measurement framework. The Guidelines will be reviewed and amended as necessary within that framework. The framework will also describe how stakeholders will be involved in the review process.

2.0 Identifying Affected Parties

When identifying affected parties, it is often easiest to consider the geographically closest community first. Depending on where the proposed activities will occur, it is especially important that proponents become aware of the various rights in the area, and what the nature of those rights are (e.g., a settled land claim or an interim measures agreement). For assistance in determining which communities may be affected, proponents may contact the Boards or other organizations, such as Aboriginal Affairs and Northern Development Canada (see Appendix B for contact list).

Additionally, if during any engagement activities additional affected parties are identified, proponents should contact the parties to determine the appropriate level of engagement that may be required.

3.0 Engagement Activities

² Section 65 is in Part 3 of the MVRMA, which refers to the WLWB, GLWB, and the SLWB, but the MVLWB has the same powers as a Board described in Part 3, as set out in subsection 102(1) of Part 4 of the MVRMA.

A level of engagement consistent with the Policy is necessary for the Boards to consider an application complete or to proceed with the review of a submission under a specific licence condition. The Boards expect that some level of engagement has occurred prior to the submission of any and all types of applications for land use permits and water licences, including renewals, extensions, storage authorizations, amendments, and assignments. In addition, engagement activities must also be conducted prior to the submission of any management plan. The level of engagement required for each submission to the Boards is outlined in detail in section 5.0.

3.1 Benefits of Engagement

Engagement provides benefits to all parties as they work together to ensure the optimum use and management of the resources within the Mackenzie Valley.

Applicants

- Applicants benefit by learning about the environmental, socio-economic, and other relevant conditions in the area of their proposed development.
- Developing an understanding of these factors will increase the proponent's ability to adapt and improve the project in response to these conditions.
- Engagement allows proponents to create a better product.
- Projects, both existing and proposed, should be better defined and more suited to the physical and socio-economic conditions as a result of effective engagement activities.
- Proposed projects should pass more efficiently through the regulatory processes if affected parties are aware of, understand, and have provided input during project planning.

Communities and Aboriginal organizations

- Communities and Aboriginal organizations are able to develop an understanding of a proposed project or component of a project.
- Members of communities also have an opportunity to provide feedback during the engagement process on issues about which they are concerned with regards to a proposed development.
- Early engagement allows discussion to be initiated on how traditional knowledge may be incorporated into various aspects of the project planning.
- Engagement may allow a community to build its capacity.

Boards

- The Boards benefit from the knowledge that affected parties have been provided with an opportunity to understand and provide input on the project.
- Board processes are often carried out with greater timeliness and efficiency if early engagement activities have been completed effectively.

3.2 Engagement Activity Type

The primary engagement activities required by the Boards may include: 1) written notification; 2) community public meetings; 3) face-to-face meetings; and 4) workshops. Engagement activities must be documented in an engagement record (see section 3.3). The following sections provide a description of how a proponent should undertake each type of engagement activity that the Boards require. Section 5.0 outlines which types of engagement activities are required for the various submissions to the Boards.

3.2.1 Written Notifications

Written notifications should include letters, faxes, or emails of intent to make a submission to the Boards, including enough detail for an affected party to review and provide feedback. Letters should be followed up with emails, phone calls, or subsequent letters to the affected party. Written notifications should include, but not be limited to, the following information:

- Detailed description of the activities being applied for or the document being submitted;
- The purpose for engagement;
- Any maps detailing the location of the activities;
- Schedule of proposed activities;
- Request for clarification of expectations for further engagement (i.e., a follow-up phone call, submission of further information, or the holding of a face-to-face or community public meeting); and
- Draft copies of the application or document that will be submitted to the Boards.

Adequate time needs to be provided for affected parties to provide feedback. Any actions or amendments to the application or document, as a result of the engagement efforts, should be provided to the Boards.

3.2.2 Community Public Meetings

When community public meetings are required, proponents should:

- Work with community or regional leadership to determine an appropriate time and place for the meeting;
- Ensure translation is available if required;
- Advertise the meeting publically or provide notifications to regional organizations and communities well in advance;

- Provide materials and present information in a manner that will promote community understanding of the issue;
- Prepare to discuss issues raised by community members and possibly adjust the project as a result of the discussions; and
- Document and update the Engagement Record that is required with any submission to the Boards.

Additionally, if food is to be provided, local/traditional foods should be offered when possible. Prior to going to a community, it is advisable to find out about any conflicting community events (e.g. funerals, meetings, holidays, hunting/trapping seasons) as these can limit participation or cause conflict within the community. Prepare to be flexible with your schedule.

3.2.3 Face-to-Face Meetings

A face-to-face meeting is a meeting between the proponent and select members of an affected Aboriginal government/organization or community government. These face-to-face meetings should not be misconstrued as a community public meeting.

- Proponents should contact the organization/government to determine the most appropriate persons who should be present for the meeting.
- It is important to determine in advance what the purpose of the meeting is and the level of engagement expected by the government/organization.
- Meetings are best used as information sharing sessions and proponents should not expect decisions to be made during the meeting, as it is likely that further discussion is required with Chiefs, Councils, boards, and communities who the attendees represent.
- It is expected that after the meeting has occurred, the proponent will follow up with phone calls, written correspondence, or further face-to-face meetings as mutually determined. The appropriate length of time required prior to any follow-up and how the engaged government/organization would like to be further engaged should be determined at the initial meeting.
- The proponent should update the engagement record with any issues raised and with any mitigations or changes that are to be made to the document being submitted to the Boards. The need for further engagement, if any, should be identified.

3.2.4 Workshops

The Boards may require proponents to conduct workshops when information needs to be shared with a large number of affected parties or if technical issues arise which are best discussed with all the relevant stakeholders present. When conducting a workshop, the proponent should consider the following:

- Gear the workshop towards the issue at hand (e.g. technical or non-technical);
- Make sure the affected parties are present;
- Make sure the workshop is in the most appropriate venue, and that it allows for the greatest participation;
- Provide a third party facilitator;
- Have technical consultants or staff present who can provide answers at the workshop;
- Provide background information in advance to all participants;
- Gear any presentations toward the audience;
- Allow for free discussion on issues, as information sharing is a two-way street; and
- Document the workshop proceedings, highlighting resolved issues, outstanding issues, research items, and any additional information requests within your engagement record.

The Boards encourage proponents to look at using workshops, even when not specifically required by the Boards, whenever they think it would be helpful or if they are dealing with complex issues. Additionally, the Boards may decide to run and/or facilitate any required workshop if they deem it necessary.

3.3 Documenting Engagement Activities – the Engagement Record

An engagement record must be provided to the Boards for any engagement required by the Boards. A summary log of activities can be used. The engagement record should include, but not be limited to, the following:

- All supporting documents, including all written correspondence, minutes of meetings, participation logs, and copies of presentations to the engaged parties;
- The date and time of any face-to-face or public meetings;
- A list of attendees;
- Copies of information materials provided to the engaged parties;
- A list of issues raised and the proponent’s response, details on how the proposed project was modified in any way as a result of the engagement activity, if applicable; and
- A list of unresolved issues, if any.

Prior to submitting the engagement record to the Boards, it is best practice to provide the engaged parties with the opportunity to review the record to ensure there is no misinterpretation of any summary of the engagement activities. Signatures from both the proponent and the engaged parties on the final engagement record submitted to the Boards can greatly assist the Boards in making a determination on the completeness of engagement (a template for an engagement record is provided in Appendix D).

4.0 Engagement Best Practices

In summary, when seeking to engage the affected parties, it is best practice to:

- Start as early as possible;
- Be respectful, equitable, and transparent;
- Be very clear about objectives and expectations;
- Take account of cultural and language differences;
- Know your audience! Design your engagement around the intended audience. Presentations and materials should be provided in plain language format when appropriate;
- Identify costs and provide adequate resources to enable understanding and participation; (e.g., cost of meeting rooms, translators, audiovisual equipment, meeting facilitation, etc.);
- Involve third parties as facilitators during workshops or community public meetings when appropriate;
- Maintain regular communication with affected parties to foster good relationships;
- Conduct regular audits on the effectiveness of your engagement process; and
- Develop a partnership approach to management of issues, impacts, and benefits.

Details on further best practices can be found in many industry documents and guidelines pertaining to engagement. A list of some of these documents can be found in Appendix C.

5.0 Pre- Submission Engagement Expectations

It is important that an appropriate level of engagement is carried out by a proponent prior to the submission of a document to the Boards. This level of engagement will be determined by the scale, scope, nature, location, and duration of the project, the potential for impacts, and the type of authorization being sought.

This section of the Guidelines is separated into three categories of submissions: 1) Land Use Permits; 2) Water Licences; and 3) Management Plans.

The following is a table that summarizes the engagement expectations for each type of application submitted to the Boards. For more detailed summaries of the engagement expectations required for each submission type, please see sections 5.1, 5.2, and 5.3.

	Written notification to engagement list	Community public meeting	Face-to-face meeting	Proponent-run workshop	Engagement plan
<i>Land Use Permits (LUPs) (Types A and B)</i>					
New Land Use Permit	M	•	•		•
Previously Permitted Land Use Permit ³	M	•	•		•
Extension of Land Use Permit	M		•		
Assignment of Land Use Permit	M		•		
Amendment of Land Use Permit	M	•	•		
Storage Authorizations	M				
<i>Water Licences (WLs) (Types A and B)⁵</i>					
New Water Licence (Type A)	M	M	M	•	•
New Water Licence (Type B)	M	•	•		•
Renewal of Water Licence (Type A)	M	•	•	•	•
Renewal of Water Licence (Type B)	M	•	•		•
Assignment of Water Licence	M		•		
Amendment of Water Licence	M	•	•		
Amendment of Surveillance Network Program (SNP)	M				
<i>Management Plans (Type A WLs)⁴⁵</i>					
<i>Aquatic Effects Monitoring Program (AEMP)</i>					
AEMP Design Documents		•	•	M	
Annual Updates	M	•	•		
Periodic Reviews (as defined in the WL or in the		•	•	•	

³ The maximum term for which a land use permit can be granted is five years, and an extension to the permit can be granted for up to an additional two years. If the permit holder wants to continue the permitted activity after that time period, submission of a new application is required. 'Previously Permitted Land Use Permits' refers to such an application.

⁴ Some type A land use permits and type B water licences require proponents to submit management plans. Please contact the Board for further clarification on engagement requirements for these document submissions.

⁵ Required engagement activities may differ in the case of municipal water licences. Please contact Land and Water Board staff for clarification.

Management Plan)					
<i>Closure and Reclamation</i>					
Draft Preliminary, Interim, and Final Closure and Reclamation Plans	M	•	•	M	
Annual Updates	M	•	•		
Periodic Reviews (as defined in the WL or in the Closure and Reclamation Plan)		•	•	•	
<i>Other Management Plans</i>					
Draft of Design Documents	M	•	•	•	
Annual Updates	M	•	•		

M = Mandatory • = may be required

If in doubt as to which level of engagement is required for a specific application or submission, please contact Land and Water Board staff for further clarification.

The Boards may require additional or fewer engagement activities to be conducted at the request of the proponent, any affected parties, or at their own discretion.

Requests by proponent for exemption from engagement activity

Proponents may make submissions to the Boards requesting that a specific engagement activity not be required, detailing the reasons for the requested exemption along with the engagement record. The proponent must show that they have attempted to the best of their ability, and that they have made every effort to fulfill the engagement requirements outlined within the Guidelines, prior to requesting an exemption. The Boards will consult with the engaged parties prior to making a ruling on the exemption request.

Requests by affected parties for additional engagement

Affected parties may request additional engagement activities of a proponent if they deem it necessary. A written submission to the Boards must be provided which outlines detailed reasons why additional engagement activities have been deemed necessary.

5.1 Land Use Permits

New Land Use Permit (types A and B)

- All new land use permit applicants are required to provide written notification to identified affected parties of the intention to apply for a land use permit.
- All type A land use permit applicants are required to conduct a community public meeting or a face-to-face meeting, as directed by the engaged parties.
- Type A land use permit applicants for mineral, oil and gas, and power projects are also required to develop and submit an engagement plan with their application (see section 6).

Previously Permitted Land Use Permit (LUP) (types A and B)

- All previously permitted land use permit applications require applicants to provide written notification of the proposed new application to the identified affected parties.
- If any of the engaged parties request face-to-face or community public meetings, the Boards may recognize this as a mandatory requirement (see section 3.0.1).
- Applicants for a type A land use permit application for mineral, oil and gas, and power projects are required to update their engagement plan.
- If an engagement plan was not required during the term of the previously held LUP, an engagement plan must be developed and submitted with the new application for mineral, oil and gas, and power projects.

Extension of Land Use Permit (types A and B)

- Applicants for all extensions to existing LUPs are required to provide written notification of the proposed extension to the identified affected parties, along with a summary of all land use activities that took place during the existing term of the LUP and a summary of the proposed activities during the period of the extension (up to a maximum of two years). In some cases a face-to-face meeting may also be required.

Assignment of Land Use Permit (types A and B)

- If a land use permit holder wishes to assign their permit to another proponent, either the assignee or the assignor must provide written notification of the proposed assignment to the affected parties⁶. In some cases a face-to-face meeting may also be required.

Amendment of Land Use Permit (types A and B)

- Applicants for an amendment to the conditions within an existing LUP are required to provide written notification of the proposed amendment to the affected parties. If any of the engaged parties request face-to-face or community public meetings, the Boards may recognize this as a mandatory requirement.

Storage Authorizations

- Applicants for a storage authorization are required to provide written notification of the proposed storage authorization to the affected parties.

5.2 Water Licences⁵

New Water Licence Type A

⁶ Proof of the right of access, as per section 18 of the Mackenzie Valley Land Use Regulations, has to be provided to the Board prior to approval of the assignment application. Any other authorizations, such as quarry permits, exploration licences, timber licences, etc., must be transferred to the assignee prior to the approval of the assignment of the LUP. Land ownership may vary depending on the area of the project. On federal Crown land, AANDC Land Administration; on Commissioner's land, Government of the Northwest territories -Municipal and Community Affairs; within local community boundaries, the local government; on Aboriginalowned lands, the Aboriginal Government/Land Corporation/Lands Department; and on other private lands, the registered land owner should be contacted by the proponent to determine which authorizations may be transferred or obtained by the assignee to provide proof of the right of access.

- All new type A water licence applications require the applicant to provide written notification to the identified affected parties.
- All type A water licence applicants are required to conduct face-to-face and community public meetings.
- Type A water licence applications may require more than one meeting or workshop, depending on the scope and scale of the project and the issues raised by the affected parties.
- Water licence applicants for a type A water licence are also required to develop, and submit with their application, an engagement plan.

Type B Water Licences

- Type B water licence applicants are required to provide written notification of the proposed application to the identified affected parties.
- If any of the affected parties request a face-to-face or community public meeting, the Boards may recognize this as a mandatory requirement.
- Type B water licence applicants for mineral, oil and gas, and power projects are also required to develop and submit an engagement plan with their application.

Renewal of Water Licence (types A and B)

- Type A water licence renewals require the same engagement requirements outlined for new type A water licence applications.
- Type B water licence renewal applicants are required to provide written notification of the proposed application to the identified affected parties.
- If any of the engaged parties request a face-to-face or community public meeting, the Boards may recognize this as a mandatory requirement.
- If an engagement plan was not required during the term of the previously held water licence, an engagement plan must be developed and submitted with the new application.

Assignment of Water Licence (types A and B)

- If a water licence holder wishes to assign their licence to another company, either the assignee or the assignor must provide written notification of the proposed assignment to the identified affected parties. In some cases a face-to-face meeting may also be required⁷.

Amendment of Water Licence Conditions (types A and B, except municipal)

- Applicants for an amendment to the conditions within an existing water licence are required to provide written notification of the proposed amendment to the affected parties.

⁷It is suggested that the assignor or assignee contact the land owner to ensure that the right of access to the project area described within the licence are transferred or attained (proof of the right of access has to be provided to the Board prior to approval of the assignment application).

- Amendments to conditions within type A water licences require applicants to conduct face-to-face and community public meetings.
- For type B water licences, if any of the engaged parties request face-to-face or public meetings, the Boards may recognize this as a mandatory requirement.

Amendment to Water Licence Surveillance Network Program (SNP) (Types A and B)

- Applicants applying for an amendment to the SNP of their Water Licence are required to provide written notification of the proposed amendment to the affected parties.

5.3 Management Plans (Type A Water Licence)⁵

5.3.1 Aquatic Effects Monitoring Program

AEMP Design Documents

- Prior to the submission of the initial AEMP design document to the Boards, the proponent is required to conduct a workshop with all affected parties.
- Face-to-face and/or community public meetings may be required during the development of subsequent AEMP design documents.

Annual Updates

- Written notification must be provided to organizations identified by the Boards prior to the submission of any AEMP annual reports to the Boards.
- The proponent may also be required to conduct face-to-face or community public meetings (if requested).

Periodic Reviews

- Written notification to the affected parties is required.
- Face-to-face meetings, community public meetings, and proponent-run workshops may be required for periodic reviews of the AEMP (e.g. three-year review).

5.3.2 Closure and Reclamation

Draft Preliminary, Interim, and Final Closure and Reclamation Plans

- Written notification must be provided to the affected parties prior to the submission of any draft preliminary, interim, and final closure and reclamation plans.
- Face-to-face and community public meetings will be required during the development of any draft preliminary, interim, and final closure and reclamation plans, if requested by the affected parties.

- Prior to the submission of the any draft preliminary, interim, and final closure and reclamation plans to the Boards, the proponent is required to conduct a workshop with all affected parties.

Annual Updates

- Written notification must be provided to organizations identified by the Boards prior to the submission of any annual updates to the Boards.
- The proponent may also be required to conduct face-to-face or community public meetings (if requested).

Periodic Reviews (as defined in the Water Licence or in the Engagement Plan)

- Face-to-face or community public meetings and/or proponent-run workshops may be required for periodic reviews of any preliminary, interim and final closure and reclamation plan.

5.3.3 Other Management Plans

Draft or Design Documents

- Face-to face or community public meetings may be required but only if requested by the engaged organization.
- Proponent-run workshops may be necessary prior to the submission of any draft or design document if requested by the Boards.

Annual Updates

- Written notification must be provided to organizations identified by the Boards prior to the submission of any annual updates to the Boards.
- The proponent may also be required to conduct face to face, or community public meetings (if requested).

Note on Modifications or Amendments to Management Plans

If a modification or amendment to a management plan is being considered, please contact Land and Water Board staff to clarify if any engagement activities are required in advance of the submission of the modification/amendment request to the Boards.

6.0 Engagement During the Life of a Project

Engagement refers to the communication and outreach activities a proponent is required to undertake. Engagement activities should not be limited to pre-submission of an application or

management plan to the Boards. The Boards have an expectation that engagement with affected communities and Aboriginal governments/organizations should take place throughout the life of a project, including closure and reclamation phases. The level of engagement expectations at each stage of the project depends on the scale and scope of the activities being conducted. The best way for a proponent to determine how much engagement is sufficient during the life of the project is to hold discussions with the affected communities and Aboriginal governments/organizations and develop an engagement plan to which both parties can agree.

6.1 What is an Engagement Plan?

An engagement plan is a document that clearly describes how, when, and what engagement will occur with the affected communities and Aboriginal governments/organizations at each stage during the life of the project.

6.2 When is an Engagement Plan Required?

Mineral, oil and gas, and power projects require an engagement plan to be submitted with an application for a land use permit or water licence. Amendments to the plan may be required when changes to the project occur. For a project where multiple land use permits and/or water licences are required by one proponent, one engagement plan to cover the entire project may be most appropriate.

6.3 How is an Engagement Plan Approved?

When approving an engagement plan, the Boards will require that the plan be comprehensive and thorough and expects that the contents are agreed upon by the engaged parties.

6.4 How is an Engagement Plan Developed?

An engagement plan defines the engagement commitments a proponent makes to the affected communities and Aboriginal government/organizations. The content of an engagement plan must be developed collaboratively with affected communities and Aboriginal government/organizations and should include:

- Any engagement activities undertaken to date;
- Processes to ensure the proponent has procedures in place to understand and respond to issues as they arise;
- A dispute resolution process to address any complaints or issues which may arise; and

- Processes that provide the opportunity for relationships to be built proactively, not just when issues occur.

Seeking views at an early stage will assist proponents to identify the best way of interacting and engaging with affected communities and Aboriginal government/organizations. The engagement plan should be reviewed on a regular basis. As development moves forward, the engagement plan should be revisited and reevaluated. Engagement plans should be specific to the type of activity and the appropriate stage of the project (see Appendix E for an example of an engagement plan).

6.4.1 Identify Values, Attitudes, and Expectations

Proponents may be concerned that taking a proactive approach to engagement may lead to unrealistic expectations. While this is a valid concern, speculation about a project may have already occurred, which can result in negative attitudes towards a project. Expectations and attitudes can be identified through a range of techniques, such as community public meetings, face-to-face meetings, or workshops.

Sometimes the needs and wants regarding the engagement process will differ from what the proponent can provide. To manage a difference in engagement expectations, proponents can develop a statement about a decision to be made. The statement should:

- Clearly summarize the intent and issues to be dealt with; and
- Provide details of how people are being asked to participate and why.

A well-constructed statement will assist in getting the most from the engagement process.

6.4.2 Assess the Level of Potential Impacts

Once the affected communities and Aboriginal government/organizations have been identified, an assessment of the impact that the activities may have will be helpful in identifying the appropriate level of engagement. Impact levels are based on the assumption that the activity will have some potential impacts.

High impact

Significant, repetitive, regular, or frequent aspects of the project that will affect people's lives and lifestyles are considered to be high impact. It may also relate to unavoidable visual landscape changes that negatively affect people. If there was a significant incident at the site, those in the high impact group may also be those most at risk. Criteria for this rating include activities that have a high-level, real, or perceived impact on:

- People's wellbeing, for example, their health, safety, lifestyle, or cultural values

It would also include activities that have:

- Any significant impact on attributes that are considered to be of high value, such as the environment, wildlife, or heritage resources; and
- The potential for high levels of controversy or conflict.

Medium impact

Medium impact means occasional or regular aspects of the project that may be partial or avoidable/manageable. This may also include disruptions caused during the construction (development) phase of a project. Criteria for this rating include activities that have medium-level, real, or perceived impacts, for example:

- Some impact on attributes that are considered to be of value, such as environment, wildlife, or heritage resources; and
- The potential for controversy or conflict.

Low impact

Infrequent and very occasional aspects of the project are referred to as low impact. It can also include some visual issues that are manageable and not a constant issue. Criteria for this rating include activities that have a low-level, real, or perceived impact, including:

- No significant impact on people's wellbeing or on attributes with value; and
- Low or no risk of controversy

Figure 1 is designed to assist with identification of impact levels.

Figure 1: Identification of Impact Levels

Type of Activity	Air Quality	Water Quality	Water Quantity	Rate of Water Flow	Wildlife	Birds	Fish	Hunting	Fishing	Trapping	Cultural	Social	Archaeological Sites
Access Road													
Construction													
Abandonment/removal													
Modification e.g. widening, straightening													
Automobile, aircraft or vessel movement													
Blasting													
Building													
Burning													
Burying													
Channeling													
Cut and fill													
Cutting or trees or removal													
Dams and Impoundments													
Waste management													
Disposal of hazardous waste													
Waste generation													
Sewage													
Disposal of sewage													
Geoscientific sampling													
Trenching													
Diamond drilling													
Borehole core sampling													
Bulk soil sampling													
Ditch construction													
Drainage alteration													
Drilling other than geoscientific													
Ecological surveys													
Excavation													
Explosive storage													
Fuel storage													
Topsoil, overburden or soil													
Slashing and removal of vegetation													
Soil testing													
Stream crossing/bridging													
Tunneling/underground													

6.4.3 Identify the Appropriate Level of Engagement

The level of interaction a proponent has will vary depending on the potential impacts associated with a project activity. The transition between different stages of the project brings with it many changes and opportunities for engagement. Engagement during the project planning stage may include determining potential local support, developing different engagement options, investigating alternatives, and identifying key issues. During the construction phase, engagement opportunities may relate to activities including road access and management of contractors and contract projects.

Engagement may concern activities such as reporting, seeking input, and disclosure of information, environmental monitoring, and grievance and feedback processes during the operational phase. Prior to the end of the project, engagement may include communication and regular updates.

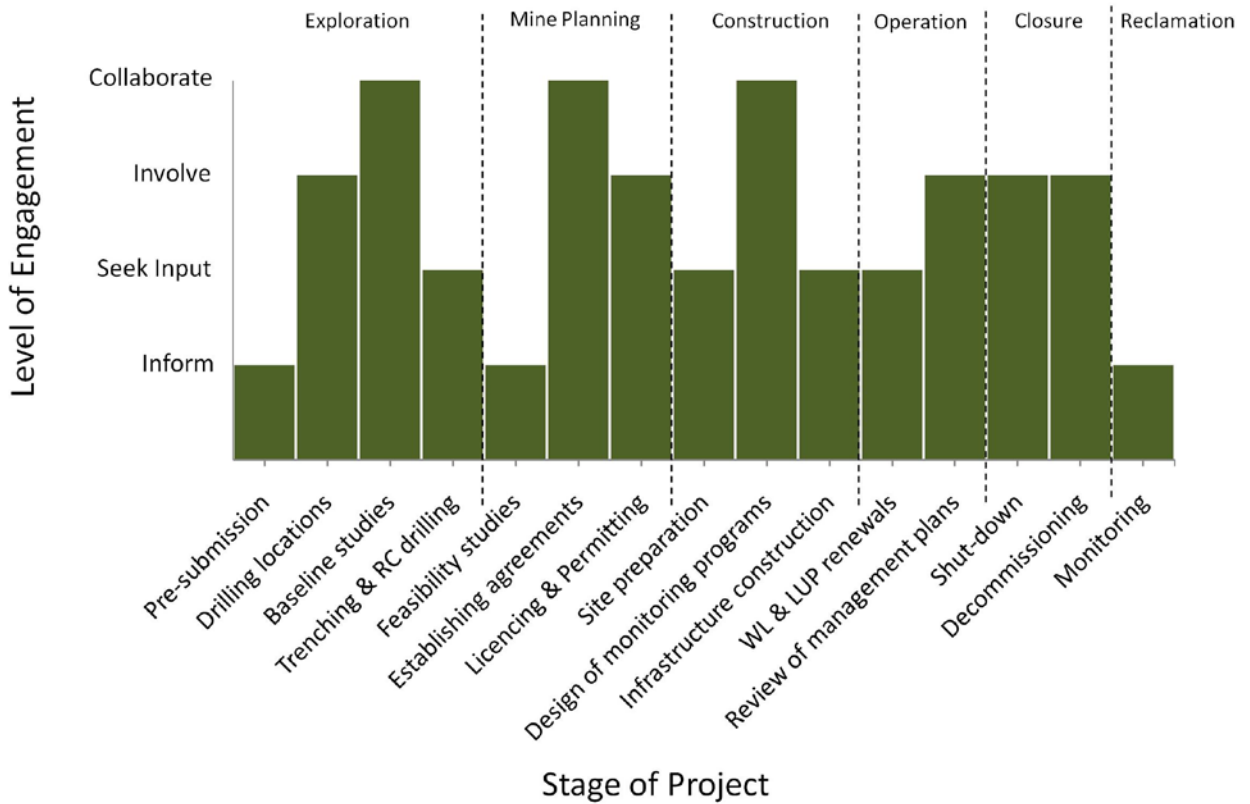
Proponents that take a systematic, rather than an ad hoc approach, to engagement are likely to get better results in return for the time and resources they invest. The Boards recommend the engagement spectrum (Figure 2) as a process for systematically engaging with affected communities and Aboriginal governments/organizations. The spectrum, consisting of various levels of engaging, is designed to assist with the selection of a level of engagement that defines the engaged parties' role in the process.

Figure 2: *Engagement planning spectrum*

Level of Engagement	Inform	Seek Input	Involve	Collaborate
Engagement Goal	To provide balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain feedback on analysis, alternatives and/or decisions.	To work directly with people throughout the process to ensure that concerns and aspirations are consistently understood and considered.	To partner with people in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
Promise to People	We will keep you informed.	We will keep you informed, listen and acknowledge concerns and aspirations, and provide feedback on how your input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how your input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.
Example Techniques	<ul style="list-style-type: none"> · Written notification · Site visit 	<ul style="list-style-type: none"> · Face-to-face meetings · Public meetings 	<ul style="list-style-type: none"> · Workshops · Technical sessions 	<ul style="list-style-type: none"> · Advisory committees · Community activities · Community development

Each engagement level has an associated goal that defines and directs the activity and proposed outcome.

Figure 3: Example of varying levels of engagement at different stages of a project



Appendix A: List of Figures

Figure 1: Identification of impact levels

Figure 2: Engagement planning spectrum

Figure 3 : Example of varying levels of engagement at different stages of a project

Appendix B: Contact List

MVLWB: contact MVLWB staff at 867-669-0506

GLWB: contact GLWB staff at 867-777-7960

SLWB: contact SLWB staff at 867-598-2413

WLWB: contact WLWB staff at 867-765-4592

Aboriginal Affairs and Northern Development Canada at 867-669-2583

Appendix C: Supporting Engagement Documents or Guidelines

Mining Association of Canada. *Aboriginal and Community Outreach Program: Towards Sustainable Mining (TSM) Assessment Tool*. 2009.

Professional Developers Association of Canada (PDAC). *E3Plus: A Framework for Responsible Exploration: Principles and Guidance*. 2009.

Canadian Association of Petroleum Producers (CAPP). *Industry Practices: Developing Effective Working Relationships with Aboriginal Communities*. 2006.

CAPP. *Guide for Effective Public Involvement*. 2003.

The State of Victoria, Department of Primary Industries. *Community Engagement Guidelines for Mining and Mineral Exploration in Victoria*. 2008.

Appendix D: Example of Engagement Record

Engagement Record for Project
Between Proponent and Engaged Party

Date & Time	Attendees	Engagement Activity Type (e.g., written notification, face-to-face, workshop)	Information materials provided to engaged party ⁸	Issue Raised	Proponent Response - indicate if issue was resolved or unresolved	Transcripts or minutes of meeting (Y/N)

⁸ provide the materials/transcripts/minutes with the engagement record

Appendix E: Example of Engagement Plan

Name of Proponent:

Name of affected party:

Describe any previous engagement activities with the affected party:

Assess the level of impact (low, medium, high) that the project may have on the affected party (see Guidelines section 6.4.2):

Outline when, during the life of the project, you intend to engage with the affected party (e.g., pre-submission, exploration stage, annually, monthly, etc.). For each particular engagement stage, indicate the level of engagement (i.e. inform, seek input, involve, collaborate) and type of engagement activity (e.g., written notification, face-to-face meeting, etc.).

Engagement Stage	Level of Engagement	Type of Engagement Activity

Describe how you intend to document and respond to affected party issues and/or complaints:

Explain when you will review your Engagement Plan:

Additional Comments:

X

Signature of Proponent

X

Signature of Affected Party