

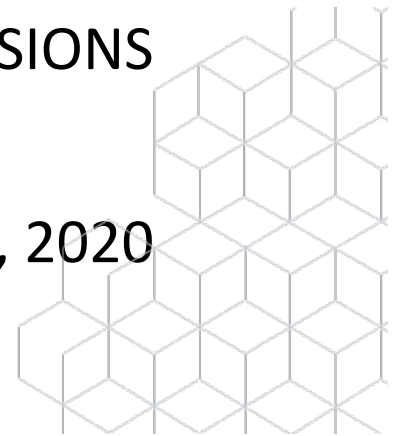
**YESAB**

Yukon Environmental and  
Socio-economic Assessment Board

# PRE-SUBMISSION ENGAGEMENT FOR EXECUTIVE COMMITTEE SCREENINGS

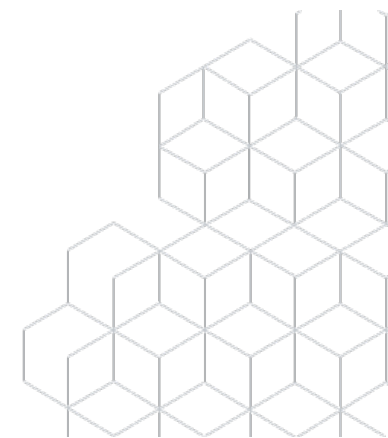
**INFORMATION SESSIONS**

**October 22, 2020**



# Session Overview

1. Pre-Submission Engagement – Refresher & Background
2. PSE Framework – Overview & Updates
3. PSE Rules Review – Next Steps
4. Questions

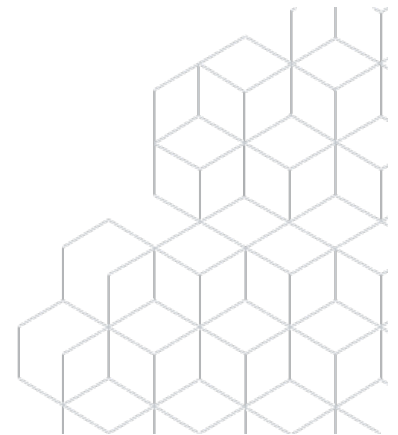


# What is Pre-submission Engagement

PSE - a front-end process that occurs before a project proposal is submitted for screening by the Executive Committee (EC).

Purpose - to bring interested and affected parties together to review project requirements well in advance of a detailed proposal being submitted for assessment.

PSE - leverages the interests and information needs of - affected First Nations & communities, government regulators & technical experts, assessors, the general public and proponents – earlier in the assessment process.



# Why PSE?

PSE is in response to feedback from various sectors on EC screening process:

1. Length of time in adequacy review phase; frequency and complexity of proponent information requests;
2. Need for earlier involvement of potentially affected First Nations and communities in identifying values and potential impacts on values;
3. Demands for more project-specific guidance on information requirements prior to proposal submission.

Early engagement has proven to be an effective approach in other environmental assessment regimes across Canada.



# PSE Framework

## Objectives:

1. To be an effective, proactive opportunity for early engagement
2. To enable early and collaborative identification of issues and information gaps (collaborative scoping);
3. To provide project-specific guidance to proponents; and
4. To reduced likelihood of “surprises” once a proposal is submitted for a screening.



# PSE Framework

## Requirements

PSE Process is mandatory - all sectors, tailored to project specific situations

PSE Process is public - publicly accessible (YOR and input opportunities at specific phases)

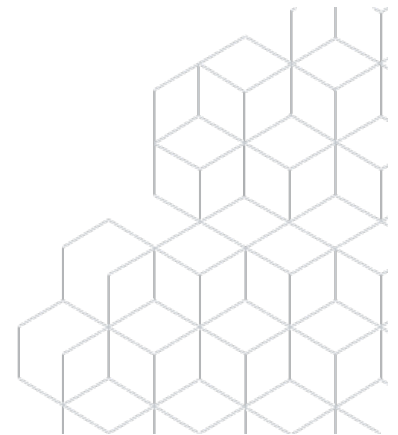
PSE Process will be time bound – process will likely have specific timelines (*still under development*)

PSE will be established in the Rules for Screenings by the Executive Committee

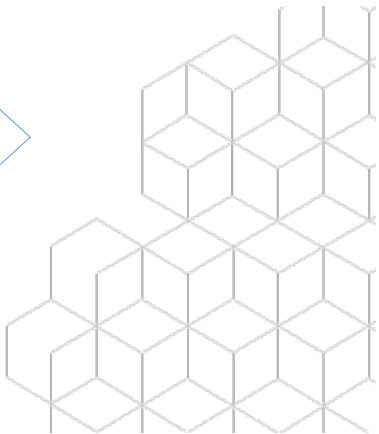
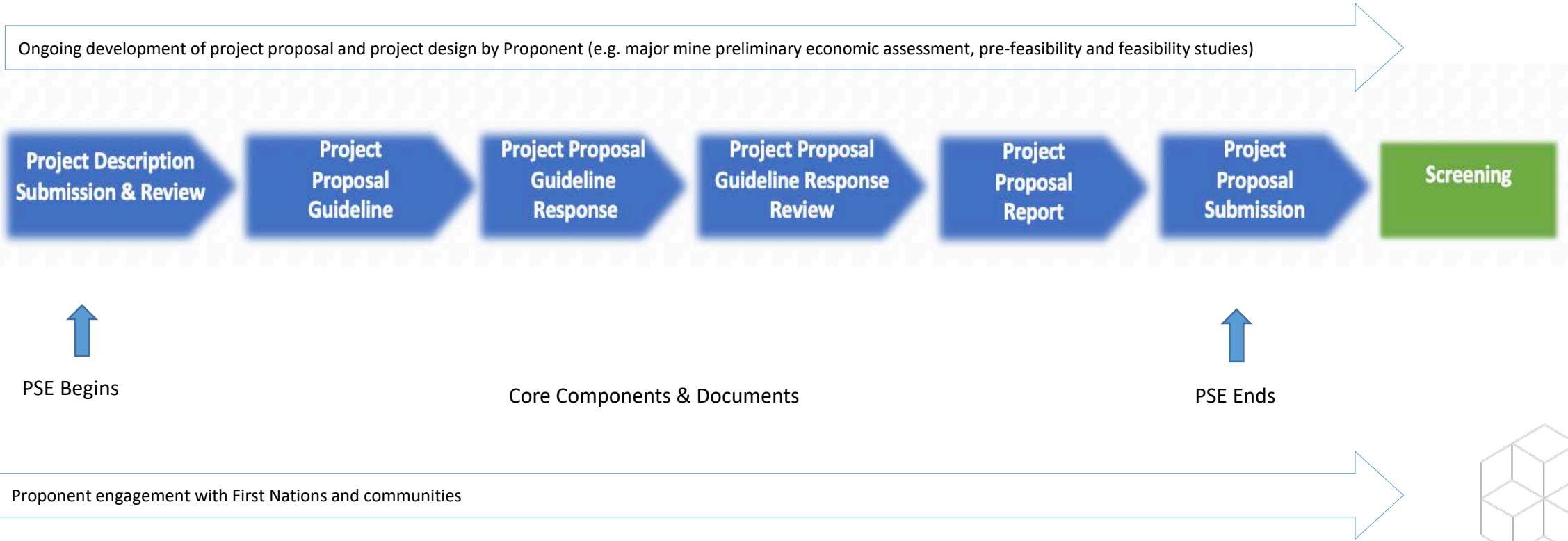


# PSE Framework

- Development of PSE Framework: April - November 2018
- Board Approval of PSE Framework: December 2018
- Engagement (#1): January - February 2019
- Participant Input Report – August 2019
- Revised PSE Framework – October 2019
- Engagement (#2): November 2019 - January 2020
- Independent Research Report - January 2020
- PSE Rules - Drafting: February 2020 - present



# PSE Framework – Overview





# PSE Framework - Process Overview

October 2020

Ongoing development of project proposal and project design by Proponent (e.g. major mine preliminary economic assessment, pre-feasibility and feasibility studies)

	<div style="display: flex; justify-content: space-between;"> <span>PSE Process commences</span> <span>PSE Process ends</span> </div>					
	1. Project Description Submission and Review	2. Project Proposal Guideline	3. Project Proposal Guideline Response	4. Proposal Guideline Response Review	5. Project Proposal Report	6. Proposal Submission
<b>Who</b>	Executive Committee (EC), Proponent, Participants	Executive Committee, Proponent, Participants, Public	Proponent	Executive Committee Proponent Participants, Public	Executive Committee	Executive Committee, Proponent
<b>What</b>	<p>A) PSE Process begins when a Proponent submits <b>Project Description</b> that complies with requirements. Participants* are notified, review process and timelines set.</p> <p>B) <b>Project Description</b> is reviewed as per process and timelines.</p>	EC develops a draft <b>Project Proposal Guideline</b> (PPG) setting out specific information requirements. Participants and public provide input. EC releases final PPG.	Proponent collects baseline or other information and prepares a <b>Project Proposal Guideline Response</b> (PPGR) describing how requirements are met.	Review process and timelines are set. Participants and public input. Any information gaps or outstanding issues are identified.	EC develops <b>Project Proposal Report</b> that sets out project proposal requirements as per Rules and identifies any outstanding information required in the project proposal.	Proponent finalizes <b>Project Proposal</b> and submits to EC. EC conducts a compliance check as per Rules and YESAA.  EC initiates assessment if requirements are met.
<b>Timing</b>	<p>A) <b>Set by Proponent</b> (submission of project description)</p> <p>B) Set by Executive Committee after participant discussions: <i>(Draft options: 1) set per phase with minimums and maximums; or 2) within an overall PSE maximum; or 3) or project-specific with service standards)</i></p>	<p>Set by Executive Committee</p> <p>Participant and public review</p> <p>Public Comment Period (Example - 14 days)</p>	<b>Set by Proponent</b> [24 month withdrawal provisions]	<p>Set by Executive Committee after participant discussion</p> <p>Participant and public review</p> <p>Public Comment Period (Example – 30 days)</p>	Set by Executive Committee	<p><b>Timing prior to submission is set by Proponent</b> [24 month withdrawal provisions]</p> <p>Timing after submission set by Executive Committee</p>
<b>Public Participation</b>	No. Project Description on YESAB Online Registry (YOR)	Yes. YOR public comment period	No. Guideline Response on YOR	Yes. YOR public comment period	No. Project Proposal Report on YOR	No. Project Proposal on YOR
<b>Documents</b>	<p>YESAB - <b>Project Description Requirements</b></p> <p>Proponent – <b>Project Description</b></p>	YESAB- Project Proposal Guideline	Proponent - Project Proposal Guideline Response		YESAB - Project Proposal Report	Proponent - Project Proposal

\* Participants – Government Decision Bodies, affected First Nations

# PSE Framework

## Updates since 2019 Engagement:

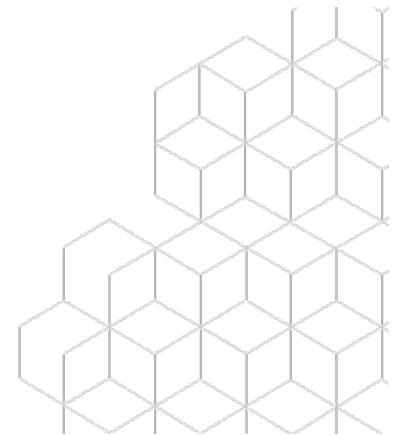
Project Description submission process (Project Description Requirements)

Proponent withdrawal provisions / timing

Proponent-driven Project Changes during PSE

End of PSE process and Project Proposal submission (compliance check)

Initiation of Assessment – public comment periods



# PSE Outstanding Issue

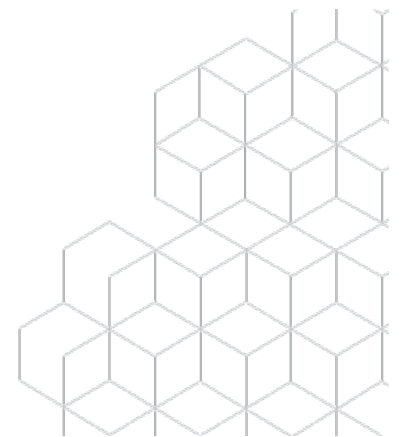
Whether to adopt timelines in the Rules

Options:

1. Set timelines per phase with minimums and maximums
2. Overall maximum for PSE process
3. Project specific with service standards (2018 Framework)

Service Standards & Participant Input

Other Jurisdictions



# PSE Rules

PSE Rules development underway

Working with an experienced legislative drafter – Lawrence Purdy

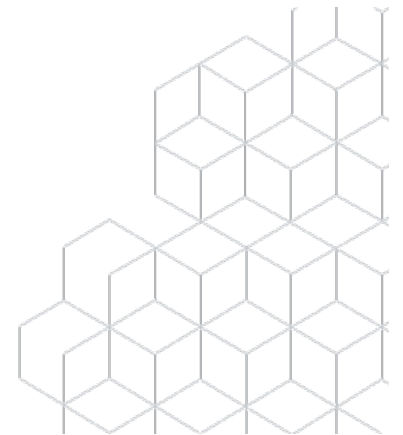
Rules to support PSE:

- Targeted rules review

- Replace Part 3 of the Screening Rules (Adequacy Review)

- Make consequential amendments to other parts of the Screening Rules

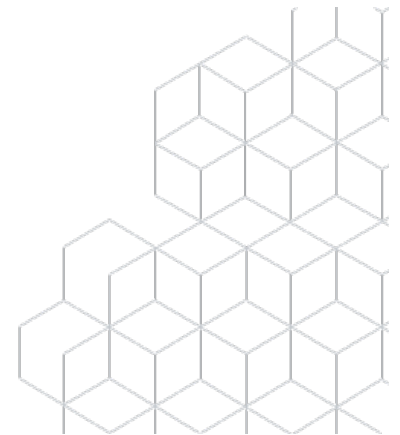
YESAA – Rules Gazette Process



# PSE – Next Steps

- Outstanding Issue Resolution & finalize proposed Rules – December
- Gazetting (60 days) – early 2021
- Implementation Planning – Guidance Documents, YOR, Orientation
- Publish Rules – spring 2021
- Implementation/Coming into Force – Summer 2021
- Transition

[YESAB website – PSE](#) for information and timing



# Conclusion

? Questions ?

