



Intervener Considerations for the Hearing

Under the Natural Resources Conservation Board Act

Interveners should consider the following points during the hearing:

- Make sure you understand the mandate of the NRCB – to determine the public interest having regard for the social, economic and environmental effects. Keep it in mind throughout the process and focus on it. Emphasize issues to the Board members that you believe are important.
- Ensure your issues are relevant to the project being reviewed and structure your presentation to deal with each issue in logical sequence.
- Ensure that your position is consistent and clear. Don't leave the Board guessing about inconsistent statements.
- Don't feel that you have to deal with each issue in detail to the point of being repetitive of others. Your submission may complement that of other participants – simply note this.
- An oral presentation may not be necessary if your position and evidence are clearly stated in the written submission (the intervener should, however, be available for cross-examination on the submission if required).
- Coordinate your efforts with other interveners. This is often possible with respect to technical studies even when your positions are not exactly the same.
- Oral presentations should be limited to 20 minutes (or time limit prescribed by the Panel) and should highlight the most important evidence and arguments in the submission. The Board will have read your written submission in advance.
- As with your written submission, focus on a few key points.
- When there are conflicting opinions from experts, establish that for the Board, and if you are convinced you can help through additional expert information or questions, do so. Don't try to win the day on the basis of the quantity of words; stress quality.
- Be cooperative with other participants, not only in terms of procedure, but in dealing with the actual issues. If you are prepared to make a concession or to negotiate with respect to an issue, say so.
- If you see an opportunity to resolve certain issues more efficiently outside of the formal hearing process, pursue it, even if it means asking for a delay or adjournment.
- Identify for the Board those conditions that would assist in addressing your concerns if the project were to be approved.

February 23, 2015