

# Fact Sheet

## Public Interest Reviews of Proposed Major Natural Resource Projects in Alberta under the *Natural Resources Conservation Board Act*

### Overview

- The Natural Resources Conservation Board (NRCB or Board) conducts impartial public interest reviews of proposed major natural resource projects in Alberta. These projects may include water management, forestry, recreation, or tourism developments. Reviews consider social, economic, and environmental impacts.
- This fact sheet summarizes the process. For more information, visit:

[Board Review Process Under the NRCBA Process Guide](#)

[Intervener Funding Process Guide](#)

[Natural Resources Conservation Board Act](#)

[NRCBA Rules of Practice Regulation](#)

- Alternately, the Lieutenant Governor in Council may prescribe projects that do not require an EIA to the NRCB for review. The NRCB will advise the applicant of the information required to address the social, economic, and environmental effects in a statement of Application Requirements.

### Stage 2: Public Interest Determination

- Once the EIA is deemed complete by EPA or the Application Requirements have been met, the NRCB begins its review to determine if the project is in the public interest.
- Depending on the nature and location of a project, it may require a review by other quasi-judicial regulators.

### Public participation

- The NRCB encourages public participation, especially from those directly affected by the proposed project. Applicants must consult with First Nations, Métis communities, and other affected individuals during the application process.
- All project materials along with NRCB guides, fact sheets, and a video describing the hearing process are posted on the [website](#).

### Two-stage process

#### Stage 1: Environmental Impact Assessment or Application Requirements

- Most project reviews begin with an Environmental Impact Assessment (EIA), which identifies potential social, economic, and environmental effects. The EIA is submitted to Alberta Environment and Protected Areas (EPA) as required by the *Environmental Protection and Enhancement Act*. The EIA serves as the NRCB application.
- The NRCB works closely with EPA and other government experts to assess the application. The NRCB and EPA establish a common statement of information requirements (Terms of Reference). EPA leads the review for a one-window approach so that the applicant does not have to deal directly with several regulators.

### Step-by-step process

#### Step 1: Confirming Jurisdiction

- An NRCB review is required if EPA mandates an EIA or if the project is prescribed by the Lieutenant Governor in Council.

#### Step 2: Finalizing Terms of Reference

- The applicant submits proposed Terms of Reference for the EIA. NRCB, EPA, other government experts, and the public review it to ensure it includes all necessary information.
- EPA releases the final Terms of Reference.

#### Step 3: Filing and Reviewing the Application

- Based on the final Terms of Reference or Application Requirements, the applicant files the EIA/application.
- NRCB and EPA publish a Joint Notice of Filing in regional newspapers and on their websites to announce the filing.
- NRCB, EPA, and other government experts assess the EIA/application. If information is missing or incomplete, the applicant is sent supplemental information requests.

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### Step 4: *Application Deemed Complete*

- Once EPA independently confirms that the EIA/application meets the final Terms of Reference or the NRCB confirms that the application meets the Application Requirements, the NRCB begins its public interest review.

### Step 5: *NRCB Public Interest Decision*

- The NRCB chair appoints a panel of Board members to conduct the review.
- A Notice of Application invites submissions from those who can demonstrate they may be directly affected and who state why they believe the NRCB should conduct a hearing. If no objections of sufficient merit are received, the NRCB may proceed to a written review.
- The NRCB decides to hold a hearing either when it anticipates legitimate objections or based on objections submitted following the Notice of Application.
- Before a hearing is scheduled, the NRCB may convene a pre-hearing conference to invite input on key issues and hear requests for participant standing, intervener funding, and scheduling preferences. The NRCB releases a pre-hearing conference report.
- The NRCB issues a Notice of Hearing inviting the applicant and participants granted standing to provide written evidentiary submissions. The exhibits, participant list, and order of proceedings are released prior to the hearing commencement.
- A hearing takes place before a panel of the Board. A hearing operates like a court proceeding. Participants in a hearing can either represent themselves or be represented by a lawyer or other person. In addition, participants may hire experts to assist in preparing and presenting evidence to support their positions. People with similar interests and positions are expected to work together to promote efficiency. Interveners may be eligible for funding and are encouraged to review the NRCB's [Intervener Funding Process Guide](#). Any member of the public can observe an in-person or virtual oral hearing.

- After reviewing the evidence, the panel of the Board determines whether the project is in the public interest and releases its decision. If approved, the decision is sent to the Lieutenant Governor in Council, who may authorize the approval. If denied, the process ends.

### After the decision

If approved, the applicant must:

- follow through on its commitments
- comply with any NRCB conditions
- obtain any additional licenses, permits, or authorizations.

Ongoing oversight and regulation is handled by EPA and other relevant departments.

### Contact information

For questions, contact Laura Friend, Manager of Board Reviews

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Fact sheets and other NRCB publications are available at [www.nrcb.ca](http://www.nrcb.ca)

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