Review Comment Table

Board:	MVEIRB	
Review Item:	Developer's comments on the Terms of Reference for the revised highway project. (EA1213-02)	
File(s):		
Proponent:	GNWT - Department of Transportation	
Document(s):	GNWT Comments on Terms of Reference due to revised Project Description (0.5 mb)	
Item For Review Distributed On:	Dec 3 at 16:26 Distribution List	
Reviewer Comments Due By:	Dec 19, 2014	
Proponent Responses Due By:	Jan 23, 2015	
Item Description:	This document is the Developer's comments on the Terms of Reference based on the revised Mackenzie Valley Highway project (Wrigley to Norman Wells).	
General Reviewer Information:	Reviewers are asked to provide comment on the Developer's comments on the Terms of Reference. Background - The Developer initially applied for an all-season highway from Wrigley to the Dempster highway near Inuvik. Based on this application the Review Board issued the Terms of Reference on Dec 23, 2014. On Aug 29, 2014 the developer submitted a revised project description for an all season highway from Wrigley to Norman Wells. Because the project description changed the Review Board requested that the Developer review the existing Terms of Reference for conformity with the revised project description. The Developer submitted its response on Nov 27, 2014. The purpose of this review is to allow reviewers to provide comment on the Developer's proposed changes to the Terms of Reference. Comments from Reviewers are due by Dec 19. The Developer will then provide its response to Reviewer comments by Jan 23, 2015. The Review Board will consider comments from the Developer and Reviewers when issuing the Terms of Reference for the revised Mackenzie	

	Valley Highway project.
Contact Information:	Simon Toogood 867 766-7053

Comment Summary

Go	Gov of Canada: David Alexander				
ID	Торіс	Reviewer Comment/Recommendation	Proponent Response		
1	Transport Canada (TC- 1) - 7.3.1.2 Culture and traditional land use	Comment Does not address Transport Canada's mandate. Recommendation Describe the results of Aboriginal consultation specifically related to navigation on navigable waterways in the project area.	Jan 28: Comment: Section 2.3 speaks to Aboriginal Consultation. Sec (Water quality and quantity) speaks to impacts of the highway on navigable waterbodies. There is no Section 7.3.1.2; howeve section on Culture and traditional land use (Section 7.3.13) wh that all sites along the route are to be identified, and this would navigable water sites and any other site. To identify only one of this section would not capture the intended holistic intent. Sect (Land Use) also includes "effects to traditional land use, touris hunting, fishing, recreation and other non-traditional uses," wh capture navigation of navigable waterbodies. As outlined in Se developer will make all reasonable efforts to incorporate tradition knowledge from Aboriginal culture holders as a tool to collect and evaluate the specific impacts required in this Terms of Ref Therefore, in order to evaluate navigable waterways in sections and 7.3.14, the information gathered from aboriginal consultation will be utilized. Recommendation: To ensure navigation on navigable waters is addressed, Section 7.3.14 will be expanded upon so that the ex- point will read: Effects to protected areas, parks, navigable water environmentally and culturally sensitive areas.		
Sal	htu Renewable	e Resource Board: Catarina (Dwen		
ID	Торіс	Reviewer Comment/Recommendation	Proponent Response		
1		Comment (Submitted after Due Date) The reviewer has changed "operations" to "use" in several instances. Recommendation The term "operations" should remain intact because future operations could have			

		environmental effects. For example, the height of snow plowed to side of roads could create barriers to wildlife and materials used on road (e.g., dust suppression) could contaminate the environment. "Operations" should remain in "terms of reference"	
2	General - Addition of "use"	Comment (Submitted after Due Date) The reviewer has added the term "use" of the road. This is valuble because it implies the routine traffic (e.g., public and commercial) that will "use" the highway. Operation and use have different meanings that needs to be clarified. These terms should be defined. Recommendation The addition of the term "use" should be added in addition to "operations".	
3	Section 3.1 - Scope of Development	Comment (Submitted after Due Date) There needs to be consistency and well defined terms desribing scope of highway impacts. Recommendation Scope of work should include the construction, use (e.g., by public etc.), operations (e.g., maintenance), and reclamation of the highway. Clearly defined definitions are required and consistent use of terms is needed.	
4	Section 3.1 - Scope of Development	Comment (Submitted after Due Date) Reviewer has removed "reclamation of highway" from scope (Section 3.1). Reclamation of the highway or sections of the highway may occur if	

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		areas of the highway are straighten, for example. It is short-sighted to assume the highway will not change in a relatively short period of time (e.g., 10 years). Recommendation Reclamation of the highway should remain in the TOR (Section 3.1)	
5	Section 3.1 - Scope of Development	Comment (Submitted after Due Date) Reviewer has indicated that ongoing maintentance has an insignificant impact. As previously discussed this not necessarily true as maintenance (i.e. snow plowing, dust suppression material) could effect the environment. It is not the reviewers job to determine "significance" or "non - significance", it is the job of the people completing the EA. Recommendation Potential impacts of maintenance and operation should be included in scope of environment assessment.	
6	Section 3.4 - Temporal Scope	Comment (Submitted after Due Date) Reviewer has removed two paragraphs that describe procedures that should be considered if there is a delay in the project. The reviewer has indicated that paragraphs are not needed because no delays are anticipated. The reviewer has no way of anticipating future events. The paragraphs are important because unforeseen event could impact project. A	

		delay of a season could see a	
		change in both caribou	
		population and migration	
		routes.	
		Recommendation The two	
		removed paragraphs should	
		remain. If there is no delay in	
		project no additional work	
		will be required; however, if	
		there is a delay it reasonable	
		to require that predictions of	
		assessment are revisited.	
7	Section 3.5 -	Comment (Submitted after	
`		Due Date) the TOR requires	
	of	that the DAR must identify	
	Alternatives	and describe alternative	
		methods of highway	
		construction and operation	
		etc. The reviewer has	
		removed " the DAR must	
		also describe the	
		environmental effects of each	
		alternative method". The	
		reviewer has indicated that	
		the meaning of sentence is	
		capture in the that following	
		sentence. The following	
		sentence states "the relative	
		consideration of	
		environmental effects". The	
		removed sentence has more	
		specific language and this is	
		important and is not	
		redundant.	
		Recommendation Keep the	
		removed sentence as it	
		provides clearer direction.	
8	Section 4.1 -	Comment (Submitted after	
	Impact	Due Date) The reviewer has	
	assessment	removed directions based on	
	steps	the assumption the project	
	Jonepo	will be started immediately.	
		The reviewer cannot predict	
		future events.	
		Recommendation Removed	
	<u> </u>	Accommentation Removed	

		informaton should remain.	
9	Section 5.1.1 -Terrain, geology, soils, and permafrost	Comment (Submitted after Due Date) The reviewer has removed the requirement of describe mitigation measures that will be effective for a changing climate. Describing mitigation seems reasonable. Recommendation This requirement should remain.	
10	Section 6.1 - Project components and activities	Comment (Submitted after Due Date) The reviewer has removed "routine maintenance activites" and "ongoing operations and maintenance of the all weather highway". These are important considerations because these activities will contribute to the long-term effects of a new highway. Operation and maintenance need to be considered. Recommendation As previously stated references to operations and maintenance should remain in TOR.	
11	Section 6.2 - Development phases and schedule	Comment (Submitted after	
12	Section 7.2.2	Comment (Submitted after	

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	-Caribou,	Due Date) Review has	
	moose and	changed "changes in the	
	harvesting	quality of harvested species	
	1	(including contamination)	
	1	that would negatively affect	
	1	their consumption" to	
	1	"Contaminant levels in	
	1	harvested species that could	
	1	be changed by highway". The	
	1	reviewer has assumed that the	
		quality of harvested species is	
!	1	only due to contaminant	
	1	levels. This is likely untrue.	
		For example, increased traffic	
	I I	could increase stress to	
	1	wildlife affecting animal	
	1	e e	
	1	condition and negatively	
		affect consumption. All	
	1	changes in "quality" of	
	1	species needs to be assessed.	
	1	Recommendation Original	
	1	clause should remain	
	!	unchanged.	
	4	1	
13		`	
13	Water quality	Due Date) Reviewer has	
13	Water quality	Due Date) Reviewer has restricted water quality	
13	Water quality and quantity	Due Date) Reviewer has restricted water quality parameters to turbidity and	
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	Water quality and quantity	Due Date) Reviewer has restricted water quality parameters to turbidity and total suspended solids. Reviewer has assumed that these are the only water quality objectives that will be affected by highway construction and operations. The EA should identify all potental water quality objectives. For example, parameters such as metals and petroleum hydrocarbon might be important in some cases. Recommendation Remove addition referring only to turbidity and TSS	
	Water quality and quantity Section	Due Date) Reviewer has restricted water quality parameters to turbidity and total suspended solids. Reviewer has assumed that these are the only water quality objectives that will be affected by highway construction and operations. The EA should identify all potental water quality objectives. For example, parameters such as metals and petroleum hydrocarbon might be important in some cases. Recommendation Remove addition referring only to turbidity and TSS Comment (Submitted after	
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	Country	removed "and related sources	
	Foods	of contaminants". They	
		justify it because it is unclear	
		how baseline could be	
		established. This should be	
		dealt with by those	
		completing the EA (i.e.,	
		identification of baseline and	
		how to establish, if required).	
		Recommendation Leave	
		Country food section	
		unchanged.	
15	Section	Comment (Submitted after	
		Due Date) Reviewer has	
	Use	removed a requirement for	
		identification of non	
		conformity with the Sahtu	
		Land Use Plan. The EA may	
		identify issues, not previously	
		known, that may not or do	
		not conform with the Sahtu	
		Land Use Plan. It will be	
		easier for EA reviewers and	
		decision makers if these	
		issues are identified and	
		stated clearly so appropriate	
		decisions and possible	
		changes to the project can be	
		made.	
		Recommendation The	
		identification of issues that	
		may not non-conformity	
		should be kept and add a	
		requirement for discussion of	
		non-conformity.	
16	Section 10 -	Comment (Submitted after	
	Cumulative	Due Date) Reviewer has	
	Effect	replaced highway with	
	Assessment	project footprint. In	
	(page 37)	introductory paragraph it	
		clearly states with emphasis	
		that the "contribution of the	
		highway to the overall effect"	
		must be considered. It is	
		likely that the largest	
	L		L

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	environmental effects of the project will be the HIGHWAY and will be long- term and potentially significant. The actual construction of the highway will be short-term and likely have a negligible or small effect. It is critical that the ToR directs the proponents of the highway to measure the effects of the HIGHWAY (including maintenance, operations, and use) not just the construction. Recommendation Do not change highway to project
	footprint.
Section 11 - Follow-up and monitoring	Comment (Submitted after Due Date) Reviewer has removed "and operation" Recommendation This should not be changed.
	and

Distribution List

Developer's comments on the Terms of Reference for the revised highway project.

File(s):

Proponent: GNWT - Department of Transportation **Reviewer Comments Due By:** Dec 19, 2014

Proponent Comments Due By: Jan 9, 2015

Document(s)

GNWT Comments on Terms of Reference due to revised Project Description

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