



Mr. David Britton, Superintendent
Parks Canada
Nahanni National Park Reserve
348 Fort Simpson, N.T. X0E 0N0

Via email

January 8th, 2015

Dear Mr. Britton,

Re: Clarification of the Reasons for Decision on the Scope of the Environmental Assessment for the Prairie Creek All Season Road and Airstrip Project (EA14015-01)

The following is in response to Parks Canada's letter dated December 8th, 2014. Your questions have been included in italics.

1. *In section 3.2 it states that "The Terms of Reference applies in whole for the portion of the project east of km 37.4". For greater clarity, does this mean that the Terms of Reference only applies in part to the portion of the project west of km 37.4 and if so, which specific parts of the Terms of Reference will apply to this area?*

The Mackenzie Valley Environmental Impact Review Board (the Review Board) will not be assessing the previously constructed all season road west of km 37.4. The existing all season road west of km 37.4 was permitted prior to June 22, 1984 under permit N80F249 and is exempt under section 157.1 of the Mackenzie Valley Resource Management Act (the Act). The environmental assessment (EA) will assess upgrades to the existing and approved all season road which significantly alter the pre-1984 development. Upgrades are considered any activity over and above what was previously constructed through permit N80F249. For example, if the quality of the existing 37.4 km of road, including watercourse crossings, does not meet the proposed purpose of the road and needs to be upgraded, the Review Board will assess impacts of the upgrades.

The EA will assess the effects of the proposed project as a whole (all 184 km) and any measures will be based on the project as a whole. For example, measures and commitments related to road design standards will likely apply to the entire project (the 184 km of all season road). Section 3.2 of the *Reasons for Decision* describes the design considerations that will apply to the entire project.



2. *In section 3.1, paragraph 1 it states that “Activities and developments considered during these assessments will not be re-assessed”. If these activities and developments were considered in a previous EA in the context of a winter road, will they be reconsidered in the current EA under the new context of an all season road even if they are the same activities and developments?*

Previously assessed activities will not be re-assessed in the project-specific components of this EA. The Review Board assessed the proposed winter use of the winter road under EA0809-002. Impacts from the proposed winter use of the winter road will not be re-assessed. As stated in section 115(2) of the Act, the Review Board must consider information from EA0809-002.

The cumulative effects assessment of the EA will consider the past, present, and reasonably foreseeable developments, which includes the winter road.

3. *In section 3.1 paragraph 3 it states that “The Review Board will not be assessing construction impacts of already built structures or components which are exempt under section 157.1 on the MVRMA.” Please clarify what components of this project are considered exempt under section 157.1?*

Already built structures or components of the road are only relevant to cumulative effects. The existing all season road from km 0 to km 37.4 is exempt under section 157.1 of the Act unless it is significantly altered. This portion of the road was constructed to standards outlined in the 1980 permit.

The Review Board hopes this provides the clarity needed.

Sincerely,

Alan Ehrlich
Manager of Environmental Assessment