

EA1617-01
Tłıchǫ All-season Road

October 28, 2016

To: Tłıchǫ Government and Community Government of Whatı

Re: Information Requests for EA1617-01 Tłıchǫ All-season road

The developer of the Tlıcho All-season Road (TASR), Government of the Northwest Territories, the GNWT, has provided evidence of the potential for the project to cause adverse impacts to Tłıchǫ citizens (PR#7 pp 8-32 to 8-36 and Appendix B). The Review Board understands that the health and safety of Tłıchǫ Citizens are mandates under the purview of the Tłıchǫ Government (TG) and Community Government of Whatı (CGW). As such, these organizations are well suited to clarify the nature of potential impacts from the Tłıchǫ All-season Road (the Project) and the possible effects on Tłıchǫ Citizens. As the Review Board investigates the potential significant adverse effects of the proposed Project, the Board appreciates the critical consideration of the Community Government of Whatı as they assist by responding to the information requests below. The Review Board further acknowledges the Tłıchǫ Government's authority over health and well-being matters in Tłıchǫ territory and is requesting information in accordance with section 22 of the *Mackenzie Valley Resource Management Act*, which states:

“Subject to any other federal or territorial law and to any Tlıcho law, a board may obtain from any department or agency of the federal or territorial government or the Tlıcho Government any information in the possession of the department or agency or the Tlıcho Government that the board requires for the performance of its functions.”

Responses to the questions below are best realized at an early stage in the environmental assessment. Responses may help the developer and parties anticipate adverse project effects and contribute to meaningful discussion on impact significance. For these reasons, the Review Board has determined that it is appropriate to issue information requests to the TG and Community Government of Whatı at this time.

The intent of this questioning is to understand the current way of life of Tłıchǫ citizens, how this way of life may be enhanced or hindered as a result of an all-season road, and to collect the opinion of the TG and CGW on the significance of the changes that are directly or indirectly resulting from the Project. The questions aim to clarify the Review Board's understanding of impacts to Tłıchǫ Citizens that were briefly mentioned or not addressed in the developer's Project Description Report.

Responses to the information requests are due November 30, 2016 and can be submitted to the Review Board's [Online Review System](#) (ORS).



Characterization of described potential impacts and mitigations

- I. The Review Board acknowledges the substantive works and collaborations that the TG and CGW have had with the developer in understanding the Project and discussing its potential benefits and challenges to Tłıchǫ citizens and communities. The Review Board recognizes the works of the Intergovernmental Steering Committee in managing the study of the TASR and its contribution towards preparing and planning for the eventuality of an all-season road. From these collaborations, community and government leaders have expressed how the Tłıchǫ All-season Road may benefit Tłıchǫ citizens (PR#7, 19, 26) and that the Project has the broad support of the residents of Whatì, the Community Government of Whatì and the Tłıchǫ Government¹.

Evidence from the TG has been submitted by the GNWT-DOT documenting the challenges that an all-season road may bring, in particular, to the Community of Whatì (e.g. in PR#7 Appendix B; PR#31). In addition, the PDR lists a number of potential adverse Project effects to the Community of Whatì (e.g. PR#7 p 7-8, pp8-32 to 8-33). By way of addressing the identified challenges and to plan for an all-season road, the TG and CGW passed a motion accepting a series of commitments and mitigation measures, the “Tłıchǫ Government and Community Government Whatì Commitments” (PR#7 Appendix D). CGW has also identified progress in community preparedness through its resiliency planning (PR#29), strategic development implementation plans (PR#30) and implementation of goals from recent interagency meetings (PR#31).

In order to understand how effective these efforts have been in addressing the potential significant adverse effects of the Project identified by the developer, TG, CGW and from community scoping in Whatì (PR#19) the Review Board requires an explanation of how the proposed commitments and mitigation measures will effectively address the identified potentially adverse Project effects to Tłıchǫ citizens.

- i. Using the methodology described in section 4.1 of the Adequacy Statement, describe:
 - i. the potential impacts that may occur to people in the community
 - ii. the project activities during construction and operations phases of the project linked to the impact; and
 - iii. how and why the proposed mitigation will effectively reduce or avoid the associated potential impact.
- ii. Using the methodology described in section 4.2 of the Adequacy Statement, characterize the residual impacts of any potentially adverse Project effects on Tłıchǫ citizens.

¹ E.g. [PR#7](#) – PDR Appendices [A](#), [B](#), [D](#), [E](#), and [O](#); Traditional Knowledge Study Report ([PR# 28](#))



- II. The *Socio-economic Issues Scoping Study for Potential All-Weather Road to Whatì, Tłı̄chǫ Region, Northwest Territories* identifies 13 adverse ways the winter road currently affects the community (see Table 4, PR#7 – PDR – Appendix B pp 36-38). In the Review Board’s view, these adverse impacts were not characterized by the developer sufficiently to understand the extent that these represent significant issues for community cohesion and public safety. Understanding the extent of these issues with the current winter road and how they are likely to change with year-round road access is required in order to assessing the potential effects of the Project on community well-being. The Review Board is further interested in understanding the effectiveness of existing and proposed mitigation measures at reducing the effects of these issues.
- i. Describe the existing impacts on community well-being of the “bad changes” listed in Table 4 of the *Socio-economic Issues Scoping Study for Potential All-Weather Road to Whatì, Tłı̄chǫ Region, Northwest Territories* Report (PR#7 Appendix B p. 37).
 - ii. Compare seasonal fluctuations in the frequency or severity of these impacts between the winter road season and when there is no road access.
 - iii. Using the experience of the winter road as a frame of reference, how does CGW anticipate year-round access will affect the frequency and severity of the listed impacts?
 - iv. Describe any mitigation measures or plans to reduce the effects of these impacts and how and why they would be effective.
 - v. Describe any residual effects to community well-being.
- III. In *A Socio-economic Issues Scoping Study for a Potential All-Weather Road to Whatì, Tłı̄chǫ Region, Northwest Territories*, the report cited concern regarding existing vulnerabilities that could be “magnified” as a result of the all-weather road (PR#7, Appendix B p.iii, 66). These vulnerabilities included (1) absentee parenting, (2) drug and alcohol abuse, and (3) occasional community depopulation to access goods and services elsewhere. The report suggests that to “track and manage against these adverse changes, and to maximize benefits, there is a strong need for the Tłı̄chǫ Government to ensure adequate data gathering on culturally relevant social, economic and cultural indicators” (p.iii). The report suggested a suite of indicators and the development of a “Human Environmental Monitoring System” as a possible mitigation measure to monitor identified adverse effects (see Appendix C).
- I. Describe the necessary resources TG and/or CGW or the Tłı̄chǫ Community Services Agency (TCSA) would require to develop the proposed Human Environmental Monitoring System.
 - II. Describe any challenges or constraints in implementing such a system.
 - III. Does the TG, CGW and TCSA think this is a good method to monitor potentially adverse effects of the Project?



Economic well-being

- III. Economic well-being has been identified as a key valued component in this EA, including the potential impact on equity and vulnerability (PR#Final ToR). The Review Board has adopted the following definition for vulnerability² “a situation or condition characterized by low resilience and/or higher risk and reduced ability of an individual, group or community to cope with shock or negative impacts. Vulnerability is associated with having low socio-economic status, disability, ethnicity, or one or more of the many factors that influence people’s ability to access resources and development opportunities.”

The *Socio-economic Issues Scoping Study for Potential All-Weather Road to Whatì, Tłìchò Region, Northwest Territories* identifies the most vulnerable populations in Whatì as youth, young women, elders, with additional vulnerable groups including the “chronically unemployed”, substance abusers and mothers of school age children (PR#7 Appendix B p54). The report raises concerns that an all-weather road “represents a threat to vulnerable groups or people”. Understanding how the Project would affect equity and vulnerability in the community of Whatì is important in assessing project impacts to the overall economic well-being of its residents.

The developer was asked to identify vulnerable groups in the community that are least likely to benefit from the all-season road and to describe potential impacts and propose mitigation for these groups³. The table also asks GNWT to predict impacts on community cohesion and to propose mitigation. In its response to the draft Adequacy Statement, GNWT advises that it is unable to comply with this requirement with rationale that it would be irresponsible for the GNWT to speculate on this topic. GNWT advises that the community of Whatì would be in a better position to speak to this topic. The Review Board is following-up on this recommendation with the following questions to the Community Government of Whatì.

In order to assess potential impacts to community economic well-being, please:

- i. Confirm the identity of vulnerable groups in the community least likely to benefit from the project;
- ii. Describe the potential impacts to vulnerable groups as a result of the project;
- iii. Describe the potential impact on equity and economic division within the community as a result of an all-season road (distinguishing between construction and operations phases) and the likely impact on community cohesion; and
- iv. Describe how and why a proposed mitigation will effectively reduce or avoid the associated potential impact.

² Vanclay, F., Esteves, A.M., Aucamp, I. & Franks, D. 2015. Social Impact Assessment: Guidance for assessing and managing the social impacts of projects. Fargo ND: International Association for Impact Assessment. Page 106. Available online at: http://www.iaia.org/uploads/pdf/SIA_Guidance_Document_IAIA.pdf

³ See Table 5-5 of the Adequacy Statement (PR#47 p17) and GNWT ORS recommendations #34



- IV. Economic well-being has been identified as a key valued component in this EA, alongside Traditional use, culture and heritage resources (PR#Final ToR). While the PDR and supporting documents have provided evidence on the cultural and traditional value of harvesting and harvesting resources potentially affected by the Project, there has been no evaluation of the potential impact of the Project on the non-wage or traditional economy. In order for the Board to understand how the potential effect on harvested animals might impact the economic well-being of harvesters and those dependent on country foods, please respond to the following:
- i. What is the value of the traditional economy in both dollars and subsistence value?
 - ii. What is the potential valuation of harvest opportunity lost to the harvesters in the event of an impact on the traditional use area as a result of direct or indirect Project impacts? Can a replacement cost for loss of country food be estimated?
 - iii. How does the TG or CGW plan to mitigate the potential loss of animals, reduced harvesting success, increased costs of food or change in diet?
- V. Eco and cultural tourism has been “of central interest to the Government as tourism is seen as a sustainable future economic sector” (PR#7 p7-6) and could be an opportunity or considered an indicator for economic well-being and/or stable and healthy communities. Tourism could also be a significant adverse impact to other valued components in the project area. In the Tuktoyaktuk Highway Environmental Assessment, the proponent provided a precise estimate of the expected percentage increase in regional tourism. In this EA, the proponent’s position on tourism is that the road presents opportunities to allow for tourism to develop (PR#7, Appendix V p.22, PR#7 p 7-6). The Community Government of Whatì expects to see “a lot more” visitors (PR#7 p7-6). The GNWTs Industry Tourism and Investment department does not expect the road to attract more tourists, but the “road may open up the area to local recreational users” (PR#7 p7-7).
- i. Can the Tłìchq Government estimate the change in revenue, number of visitors or length of stay as a result of the all-season road based on their knowledge or discussion of opportunities associated with the road (e.g. PR#7 Appendices B and V)?
 - ii. Describe any potential adverse effects resulting from the increase in visitors and any plans to mitigate those effects.



- VI. What potential costs are anticipated to the CGW and TG to implement mitigation measures and commitments already made, including any new measures developed in response to these information requests to ensure the health and well-being of residents and Tłı̄chǫ citizens are not adversely affected by Project-related effects?

Public Safety and Emergency Response

- VII. The PDR describes an emergency response plan for the construction phase of the Tłı̄chǫ All-season Road (PDR#7 - Appendix Z) and lists emergency response planning initiatives undertaken by the Whatì Inter-Agency Committee (PDR#7 - Appendix B p 29, 79, PR#31 p3). It is the Review Board's understanding that the Community Government of Whatì is responsible for fire protection and emergency response planning within the community boundary. The Community of Whatì's Resilience Plan on emergency preparedness (PR#29 p8) describes low resilience in the area of fire response. The Review Board would like further information on Whatì's emergency response responsibilities and capability during the operation of the all-season road.
- i. Describe the roles and responsibilities of CGW in providing emergency response services outside of the community boundaries.
 - ii. Provide baseline information on availability of firefighting capacity in Whatì and how firefighting services will be integrated into emergency responses for the all-season road.
 - iii. How will Whatì's existing emergency response services in the community be integrated into emergency response for the all-season road?
 - iv. Provide the estimated response time for EMS services to reach the Dupont River Bridge
 - v. How much money is required to repair the retired ambulance in Whatì for local service or to assist with emergency response on the all-season road?
 - vi. How much time and money is required to train local residents as Emergency Medical Technicians (EMTs)?
 - vii. How much money is required to properly outfit the volunteer firefighting team in Whatì so that they can be prepared to address any issues once the all-season road is open to public travel?
 - viii. How does Whatì currently respond to traffic accidents occurring on the winter road?
 - ix. What are the current emergency response capabilities in Whatì with respect to the winter road?



VIII. There is no discussion of emergency response capabilities from the Community of Behchokò, but the community is closer to the southern portion of the proposed road than Whatì is. The Review Board is interested to know what thinking has gone into Behchokò participation in emergency response planning to the all-season road during its operations, and of its overall ability to meet those needs. For the Review Board to understand the potential impacts to public safety and emergency services in the Community of Behchokò, please answer the following questions:

- i. Has the community of Behchokò been involved in emergency response planning for the operational phase of the proposed all-season road?
- ii. How does Behchoko currently respond to and assist with accidents along Highway 3?
- iii. How are accidents handled on the winter road when it is in operation?
- iv. What is the existing capacity of Behchokò emergency response services?
- v. How are serious road-side accidents requiring transport to Stanton Territorial Hospital in Yellowknife handled? Would a similar process work for serious accidents along the proposed all-season road?
- vi. What are the emergency response capabilities of the Community of Behchokò?
- vii. How might the Tłìchò Government's emergency response plan for serious road-side accidents requiring transport to Stanton Territorial Hospital in Yellowknife be revised for the proposed all-season road?

Population Growth

IX. In *A Socio-economic Issues Scoping Study for a Potential All-Weather Road to Whatì, Tłìchò Region, Northwest Territories* (PR#7, Appendix B), and the report identifies housing as a concern for the community of Whatì (ibid, p 13, 28). 47% of households are in core need of repairs and 61% had housing problems. Community Government of Whatì representatives in 2014 said there was no extra stock of housing to accommodate in-migration. The report also identified the potential for increased rent and housing costs resulting from a new road or in-migration (ibid, p 13). The summary meeting notes for the last Inter-Agency meeting mentioned that housing needs a three-year planning period for new homes and that houses and buildings require two years to construct (PR#31 p2). Please answer the following related questions:

- i. Have any of these housing conditions changed?
- ii. How much permanent and temporary in-migration does the Community Government of Whatì anticipate as a result of the construction and



operation of an all-season road? Please discuss in relation to available housing.

- iii. What rate of population growth could CGW accommodate without disrupting community services and allowing for suitable housing? What are other limitations on the CGW related to population growth?

X. The GNWT described mechanisms to manage population growth as it relates to pressure on existing physical and social infrastructure and supplementary appropriation. The mechanism is based on the concept of forced growth, which the GNWT defines as “increased costs for the delivery of existing services, resulting from the uncontrollable impacts of realized population growth, demonstrable unit or service cost increases, rate increases or other realized demographic changes to client base.” If these conditions occur, the GNWT is able to source additional finances to cover the unanticipated costs. Understanding how Tłı̄chǫ communities are equipped to handle growth scenarios will help inform how the community of Whatì might effectively cope with potential adverse financial strains related to population growth.

- i. Please describe any similar mechanisms to forced growth available to the Tłı̄chǫ Government or the Community Government of Whatì.
- ii. If mechanisms exist, would the anticipated population growth described resulting from the Project trigger the mechanism and make additional funding available to address costs associated with population growth? Should the anticipated in-migration to Whatì come from other Tłı̄chǫ communities, would a ‘forced growth’ scenario still occur, or would the change in population not result in new resource allocations because the overall Tłı̄chǫ population did not change?

In such a situation, would funding be redirected to the Community Government of Whatì from other Community Governments? If so, describe how the funding reallocation would be managed to ensure that other Tłı̄chǫ communities are not significantly or adversely affected economically.

- iii. Provide estimates on possible forced growth funding or reallocation amounts based on the anticipated population growth.