

# MACKENZIE VALLEY HIGHWAY

## Technical Session

**November 21, 2024**

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Water Quality and Quantity

Fish and Fish Habitat

Terrain and Permafrost

Climate Change

Air Quality and Noise.

Vegetation

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Hosted by

Mackenzie Valley Environmental Impact Review Board

Tree of Peace

Yellowknife, Northwest Territories

	1	ALAN EHRLICH:	I thank you all for getting here on time. Our
	2		schedules slipped a little bit because socio-economics is a very
	3		important topic and there were more questions than we had a bit of
	4		time.
09:03AM	5		So I want to start today -- and I'm not going to go over the
	6		housekeeping because all of you have heard that presentation twice,
	7		and you know where the washrooms are and that kind of stuff. You
	8		also all know, and have been very good, about saying your name each
	9		time you come up to the microphone. So there's that.
09:03AM	10		If you haven't been in the room for the last couple of days, when
	11		you decide to speak, if you decide to speak, please say your name and
	12		your organization so that everyone knows who you are. But other than
	13		that, I won't do a full round of introductions now. I want to make sure
	14		we have time to get into the substantive matters.
09:03AM	15		So we have some discussion of socio-economics.
	16		Socio-economics is broad. Socio-economics, as well as the harvesting,
	17		cultural and traditional land use topics, are all about impacts on people.
	18		But because we know that the system of people and the land is one
	19		system that interacts, we know that all of these things connect to people
09:04AM	20		and all of these things connect to ecosystems and the land as well. And
	21		so even though we're setting our agenda in a way that might not look
	22		like that, we get that that's how reality actually works which is why
	23		people have comments even if they have [inaudible] stuff that we
	24		covered earlier or stuff we're about to cover, you know, I'm going to
09:04AM	25		encourage you to say what you think even if it doesn't fit tightly within
	26		the narrow topic that we're looking at. But I do want to make sure we
	27		have time for everyone to say what they need to say, so if we could try

1 to be succinct. We just got one more day, and it would be very  
2 complicated to extend the reservation or change everyone's air tickets  
3 and everything else for another day, very expensive too. We just would  
4 like to try do this in the time we've got.

09:05AM 5 So to start off, we know that Todd, Délıne Got'ıne Government,  
6 had more items than we had time to get to yesterday. You said you  
7 have got a couple of other subject areas, is that still the case?

8 TODD SLACK: It's Todd with the DGG. I am going to sum it up  
9 into one just for simplicity. But if anyone else can go first, that would  
09:05AM 10 give me a minute to pull all these items together.

11 ALAN EHRLICH: Okay, thanks. I don't wish to put you on the  
12 spot. And Judith from -- make sure I get this right. Fort Norman Metis  
13 Community. Did I get it right? You mentioned yesterday that you might  
14 have some observations, thoughts and questions that you would like to  
09:05AM 15 share today, and I know that you have a meeting that you have to go to  
16 at 10. Do you want to share that with us now?

17 Thank you, please go ahead. And don't forget to say your first  
18 and last name for our transcriptionist who gets more and more  
19 exhausted as each day rolls on. So if we could make her job easier,  
09:06AM 20 that's always a good thing. Thank you.

21 JUDITH WRIGHT-BIRD: Judith Wright-Bird for Fort Norman Metis  
22 Community. I'm here representing the -- we've created a working  
23 group, so the Tulita Mackenzie Valley Highway Working Group, and that  
24 consists of the Fort Norman Metis Community, Tulita Dene Band,  
09:06AM 25 TRRC who Fred represents, and also Tulita Land Corporation. And we  
26 have representatives that sit on that committee, and we participate in  
27 community consultations and, you know, focus groups with DPRA when

09:07AM

1 they come to the community, try to, you know, engage with all the  
2 different groups in Tulita. So I want to say thank you. This is my first  
3 time participating in a technical workshop. It's been very interesting to  
4 hear all the comments and concerns. And I want to thank MVEIRB and  
5 GNWT to coming to Tulita. You know, it was a great opportunity for  
6 people to be able to express their concerns and ask questions, you  
7 know, on different things that they were wanting to get more information  
8 on, so hopefully that will continue in the future.

09:08AM

9 So the working group's been working on different issues and  
10 concerns that the community wants to address, and I hear, you know,  
11 other groups having similar concerns. And, you know, we hear PKFN's  
12 concerns. You know, they're on the road route as well. You know, we  
13 have some areas that we want to see, you know, the road alignment  
14 changed as well so, hopefully, you know, we can all work on that  
15 together.

09:08AM

16 And business opportunities, you know, we want to see our  
17 community gain business opportunities as well, and training,  
18 employment, you know, contracts, all of those things.

09:09AM

19 One of the biggest concerns that the community has had is with  
20 drugs and alcohol and how do we address that, you know, so we really  
21 want to be able to be part of the planning process for that and, you  
22 know, not wait for, you know, the management committee and steering  
23 committees before we start working on those issues. So we've been  
24 talking to the consultants about that. They've heard that concern. So  
25 we don't want to be waiting, as PKFN addressed, you know. We do not  
26 want to wait until one year before the construction. That's too long, you  
27 know, when we're looking at training and developing social programs.

09:09AM

	1	So that needs to be done sooner than later.
	2	And safety issues as well, you know, how are we going to build
	3	capacity in the community to address safety issues. Because right now,
	4	we do not have a social worker or a mental health worker. Those are
09:10AM	5	services that are done from the region. So, you know, if we have any
	6	issues in the community, you know, it's -- the response is delayed. And
	7	so that's a real concern for people. So it's something that needs to be
	8	addressed.
	9	The road alignment, we have, you know, different areas that
09:10AM	10	we've talked with GNWT about changing the road alignment, and I hear
	11	that, you know, we should be getting that information soon. We have
	12	another community consultation meeting planned for Tulita on
	13	December 10th, so we're hoping to have that information for that
	14	meeting; if not, you know, before the January session that we're
09:11AM	15	planning. So hopefully we'll get that information in time.
	16	They've been working with the TRRC as well, you know, on the
	17	different changes with road alignment and, you know, construction of
	18	camps and stuff. They've been looking at different areas. So I'm glad
	19	they're already starting to address those issues.
09:11AM	20	And the timeline is a big concern for the community because we
	21	feel that a ten-year construction over 20 years is too long. We've been
	22	facing huge challenges in the Sahtu, you know, with no barging
	23	services. The winter road is shortened, you know, so we may get a
	24	good two months of winter road and then it starts to erode. So we don't
09:12AM	25	have enough time to get, you know, all the supplies, the infrastructure
	26	materials, into the community, and fuel to delivery, before the road is
	27	closed. So it's a big concern for the community that they'd rather see

09:13AM

1 the timeline shortened; we cannot wait 20 years. And that's been raised  
2 many of times and when MVEIRB was in Tulita as well. And so they  
3 would rather see the construction start from Wrigley to Tulita and from  
4 Wrigley to Tulita sooner than later. The Great Bear River Bridge is a  
5 different project, so that's a separate issue, so even if we build the road  
6 from Norman Wells to Tulita, we still have to wait for the bridge so, you  
7 know, that's not a big priority right now. The priority is building the road  
8 south. So that's something we would really like to have GNWT address  
9 to see if that's something that's doable.

09:13AM

10 And then, you know, trying to use local contractors and training  
11 people to do that work instead of looking at southern companies.

09:14AM

12 The other issue that we had is since we have a working group,  
13 and the consultants have been talking about this wonderful model here,  
14 you know, of how we're going to do this readiness strategy, but how  
15 does our working group fit into this and how will the working group be  
16 structured and who is going to be participating in that is a question that  
17 we have, that we want to be at the table, you know, in this whole  
18 process because we want to make sure that, you know, an action plan  
19 for social issues is addressed and, you know, how do we guarantee that  
20 with this model that they're proposing.

09:14AM

21 So I just want to say thank you, and it was a wonderful two days.  
22 I've learned a lot. Thank you.

09:15AM

23 ALAN EHRLICH: Thank you very much, Judith Wright-Bird, from  
24 Fort Norman Metis Community. Our board learnt very much where we  
25 were listening very deeply in Tulita, and in the other community  
26 sessions that we went on, but I feel like you've just summarized a whole  
27 world of thinking in a very concise package up here, and I really

1 appreciate that. I noticed over for the last two days you were taking  
2 everything in; I could see the processing. And I'm grateful that you  
3 were willing to share that with us. I know the developer has heard what  
4 you had to say clearly, and it's on the public record again now too.

09:16AM 5 When I say road safety to a road engineer, they talk about  
6 curves, slopes and speed -- when I say safety to a road engineer, they  
7 talk about curve, slopes, speed and such. But when I hear about safety  
8 issues from community members, it is is a range of different things  
9 relating to missing and murdered Indigenous women and girls and  
10 domestic violence and other stuff. When you mentioned that safety  
11 issues are something that's very important to the people in Tulita, I was  
12 just wondering if you could expand a little bit on that for the benefit of  
13 the developer to help them see it through your eyes. Thank you.

09:16AM 14 JUDITH WRIGHT-BIRD: Judith Wright-Bird. When they were talking  
15 about safety issues, it was, you know, looking at infrastructure, you  
16 know, if it was any emergencies on the highway, you know, who would  
17 deal with that? Would it be the fire department, would it be the health  
18 centre, you know, is -- there's no one in the community trained to  
19 address that issue, you know. So when we need to -- when we're  
20 talking training, we're also including those type of people, you know, that  
21 would be able to address those issues because we have two nurses at  
22 the health centre. They cannot leave, you know, to go to the highway,  
23 you know, if there was an emergency. And also, you know, domestic  
24 violence, we don't have any social workers or mental health workers to  
25 address those issues.

09:18AM 26 So looking at building capacity at the community level, you know,  
27 even if there was a few cases where we've already experienced where

09:18AM

1 there's been, you know, bad accidents on the highway, you know, and  
2 the response was delayed because they needed to get equipment from  
3 Tulita or from Wrigley, depending where the accident is, or Norman  
4 Wells, between Norman Wells and Tulita, like who responds, you  
5 know? So it's already been an issue and, you know, so how do we put  
6 that in the action plan to ensure that we're building that capacity to deal  
7 with those types of issues.

8 ALAN EHRLICH: Thank you very much for clarifying that; I  
9 appreciate that.

09:19AM

10 Okay, so a very powerful statement, and it's on the record. I  
11 didn't hear specific questions, which is okay. If you have them, just  
12 catch my eye and you're welcome to it. And if not, then I'm going to ask  
13 if Délıne Got'ıne Government is ready to go.

09:19AM

14 Judith, do you have any particular questions that you want to  
15 ask?

16 JUDITH WRIGHT-BIRD: Yes, I had the question for GNWT about the  
17 timeline and construction. You know, have they taken into  
18 consideration the request that was made at the MVEIRB meeting, you  
19 know, to consider reducing the timeline and construction of the  
20 Mackenzie Valley Highway between Tulita and Wrigley.

09:20AM

21 ALAN EHRLICH: Over to the GNWT.

22 SETH BOHNET: Morning, everybody. Seth Bohnet, GNWT.

09:20AM

23 First, thank you very much for your statements and questions. It's great  
24 to see you here, and it was great to be in Tulita and hear from everyone  
25 while we were there.

26 With regards specifically to the timelines for constructions, again,  
27 what we have proposed and assessed in the developer's assessment



1 report, of course, is for the project to advance in three sequential  
2 segments in no particular order, with a ten-year construction period over  
3 20 years.

09:20AM 4 We were asked by the board, and did respond in in the  
5 information request received, on what an optimized schedule could look  
6 like. The GNWT did outline that the project could be accelerated and  
7 constructed in a window of three to four years; however, there's several  
8 assumptions that would need to come to fruition to enable that. First  
9 and foremost is construction design for the entire alignment would need  
09:21AM 10 to be completed concurrent to the environmental assessment. That  
11 work is starting but is not complete.

12 Land tenure for the entire alignment would need to be secured  
13 prior to construction.

09:21AM 14 Funding to complete regulatory authorizations and advance  
15 construction for the entire alignment would need to be secured, and we  
16 haven't done that.

17 Regulatory authorizations for entire alignment would need to be  
18 required.

09:21AM 19 And procurement for the entire alignment would need to be  
20 completed.

09:22AM 21 The key thing to recall and remember too, though, that the  
22 proposed schedule that we have in the developer's assessment report  
23 was informed by engagement as well. We heard loud and clear that  
24 there was a desire to maximize employment training and business  
25 opportunities and by extending the construction window over a longer  
26 period of time, and advancing the project in in smaller manageable  
27 segments is intended to maximize those benefits. So while there is the

1 potential for the schedule to be optimized by advancing all three  
2 segments concurrently and from multiple headings, that has been  
3 elaborated on as a potential alternative construction option but is not  
4 what we're currently advancing.

09:22AM 5 ALAN EHRLICH: Okay, thank you. Judith, do you have any more  
6 questions for the GNWT?

7 JUDITH WRIGHT-BIRD: I don't, but Fred wants to ask a question.

8 ALAN EHRLICH: So Fred Andrew from the Tulita Renewable  
9 Resource Council, president of the renewable resource council.

09:23AM 10 FREDERICK ANDREW, JR.: My name is Frederick Andrew Junior  
11 from Tulita RRC. I just want to ask a question to GNWT over here.  
12 You know, when I speak, I like to use my language too when I  
13 translate it for myself. I listened to that same question that Judith just  
14 asked GNWT about the timeline about Mackenzie Valley Highway  
09:23AM 15 because of, you know, I like to see it happening within five -- five years  
16 or less than ten years, anytime there, because the longer you wait, the  
17 climate change is really -- it's -- it's happening every summer, it's getting  
18 worse and worse. I don't know if the highway's going to go through or  
19 not because you have to look at the permafrost and all this issue in  
09:24AM 20 regards to heat and fire. But the reason I say this, because  
21 [[Indigenous language spoken]]. What I said here is, you know, as the  
22 Dene people, we live off the land, we grew up with that wildlife and we  
23 depend on it. And this highway will give us to access to where we want  
24 to go, build a cabin here and there, but also, you know, the longer we  
09:25AM 25 wait it's gonna be -- it's gonna be a lot of change in regards to climate  
26 change. All this climate change was predicted back in the early -- late  
27 '70 and early '80. When the Elders were all alive in Tulita, they told us

09:25AM

1 the stories about it, all this happening. And all this sickness that we  
2 don't hear is all come -- everything's all coming from the south. With  
3 the weather warm climate change, climate change, global warming, all  
4 this coming to the North slowly, at the same time as things that animal  
5 or flies or insects that we don't see slowly coming up with it. This is  
6 what the Elder predicted and they told us story about it. And they told  
7 us to be prepared.

09:26AM

8 What they mean by being prepared, is I know my dad and uncle  
9 and all the Elder were saying when all this climate change is happening  
10 at the same time eventually, all this fire and everything, all impact, you  
11 won't see much animal. So when he said that be prepared, he meant --  
12 they meant to us was to build a cabin near by fish lake. And maybe in  
13 my time I think it might be -- what they mean -- it's just like a drought for  
14 a long time. So we have cabin by fish lake, you got a chance to survive.  
15 The Creator will provide you one fish a day or rabbit or something.

09:26AM

16 You see right here, we have a technology. It's right at Tim of our  
17 finger right now. We got access to everything. But they also mentioned  
18 that all the war that's happening down south in the other side of the  
19 country there right now, but they mentioned most -- most important  
20 thing is satellite, one that crash, but then all -- they said those white  
21 people will go back to the native people to survive back then. Like go  
22 back like in 1920 or '30. It's coming up pretty soon. So I just wanted to  
23 let you guys know that this is what the Elder predicted. But what I was  
24 trying to say is about the timeline of the highway.

09:27AM

25 You know, I'll say it again because it's almost 70 years ago I  
26 slashed this winter road for highway to build. And I still waiting over half  
27 a century and I like to see it build while I'm still doing okay because I'm

09:27AM

09:28AM

1 74 years old, and I'm still doing -- doing okay, hunting, but I had two  
2 great grand kids, 3 years old and 6 years old. I would like to have them  
3 with me driving down the highway while I'm not -- you know, just in the  
4 country and main places, that's what I wanted to see. But, you know, I  
5 really want to -- like Judith said, I don't know why I'm going to wait  
6 another 5 years or 10 years or 20 years. No.

09:29AM

7 Because when they mentioned over Whatì to build a highway to  
8 Yellowknife, that was brought up and talk about it, within a couple of  
9 years they always build it. And then up before that, up in the Tuk, way  
10 up in the northern, right over us, up in Inuvik to Tuk, there was one guy  
11 started -- he started talking about building a highway. His name is  
12 Marvin Gruben. And within about a year and a half or two year, and the  
13 highway, they started building. They finished within two and a half  
14 years. I think it was two years.

09:29AM

15 You know, there's places way up there, climate change is really  
16 affecting their ground and highway, but they still did it. They don't have  
17 any no existing winter road for years and years. But in Sahtu we have  
18 because I was there when I was a young guy slashing, when I was 22 or  
19 23 years old. Now I'm 74 years old, and I'm still waiting.

09:30AM

20 So this one guy there, within, what, two and a half years later and  
21 the highway was built, and here, how long it's going to take with us?  
22 Why are we -- I don't know. Why you trying to do technical stuff and all  
23 that when everything is all impact by fire, climate change. The longer  
24 you wait [[[Indigenous language spoken]]]. What I said here is that the  
25 longer you wait around, how long -- you know, how you going to deal  
26 with climate change and all that, so. Now is the time we sit around the  
27 table and we should really -- really push it and this -- let's do something

09:30AM

1 about it and just build it. Mahsi.

2 ALAN EHRLICH: Mahsi cho, Fred Andrew.

3 Does the developer want to comment on why other highways,  
4 like the Tuk Highway or the highway to Yellowknife, were built with such  
09:31AM 5 different schedules than the one that you've proposed for the  
6 Mackenzie Valley Highway?

7 SETH BOHNET: Seth Bohnet, GNWT. I'm not in a position to  
8 speak to why those projects advanced on the schedules that they did.  
9 Again, the proposed plan for this road and the timeline and schedule  
09:31AM 10 that we have outlined was informed by several considerations, not the  
11 least of which, again, was making sure that the project provided longer  
12 term benefits from employment training and business opportunities,  
13 maximizing those benefits for local communities, as well as, again, the  
14 anticipated financial investment that's going to be required for the  
09:32AM 15 project. You know, this is going to be a significant financial investment.  
16 It's a longer road. It's not as -- it's not the same distance, and it's not  
17 the identical environment. So there are different factors that go into it.

18 If I could also add, though, there -- we have heard loud and clear,  
19 through our engagements, that there's a desire for us to explore  
09:32AM 20 opportunities to establish that corridor working group sooner and try to  
21 advance planning sooner. We are currently engaging on those plans.  
22 We want to be prepared when funding is available to get those things  
23 moving, and engagement is going -- ongoing right now.

24 ALAN EHRLICH: Thanks for that. And I think it -- it gets  
09:33AM 25 complicated where I hear what you're saying that you want to extend the  
26 financial opportunities and the benefits in the region with construction  
27 with a longer from construction -- with a longer construction schedule,

09:33AM

1 and at the same time you recognize what communities have said about  
2 the urgency of getting supplies, the current fuel costs related to river  
3 water levels, barging challenges, and the shortening of the winter road.  
4 So on the one side I've heard the GNWT point out there's an urgent  
5 need to do this to improve socio-economic issues, to respond to how  
6 climate change has changed since the project was originally proposed;  
7 and, on the other hand, you're pointing out that there might be more  
8 opportunities for employment construction -- in construction if that is  
9 done in a less urgent fashion and a more -- spread out over more time  
10 for more years of employment. So there's -- obviously, there's it's a  
11 complicated balance that you guys have to think through, and the board  
12 has heard both sides of that loud and clear, and we've heard different  
13 messages from communities. So thanks for that.

09:34AM

09:34AM

14 I appreciate that you're recognizing that you've heard that the  
15 working groups that -- that communities want the working groups set up  
16 early enough so they're more likely to be effective before construction  
17 starts. We also heard yesterday, you know, some fairly -- fairly  
18 widespread frustrations with rather than -- how someone worded it,  
19 rather than having plans for a plan or rather than having specific  
20 tangible mitigations for the socio-economic issues, it's a plan to make a  
21 working group to come up with mitigations for the socio-economic  
22 issues that could arise, such as the issues in communities we've just  
23 heard about.

09:34AM

09:35AM

24 And for the board to evaluate the acceptability of a proposed  
25 adaptive mitigation, it really needs to know what the actual actions that  
26 are going to be -- the mitigative actions that you're proposing are so that  
27 it can weigh for itself the evidence about how effective they're likely to

	1	be as opposed to wait and see to see what the working groups come up
	2	with.
	3	There's been some frustration amongst the parties voiced yet
	4	where they were asking for specific commitments, and the response
09:35AM	5	from the GNWT has frequently -- I won't say consistently, but almost
	6	consistently been we won't commit to that but we'll talk more and decide
	7	later if we commit to that. And I think that's not really what a lot of the
	8	parties here were looking for in their comments yesterday.
	9	We appreciate your openness to ongoing engagement. That is
09:35AM	10	still important. But I think that there were very few commitments
	11	actually accepted by the GNWT yesterday, and a lot of it was deferred
	12	to 'we'll talk more about it, and we'll see'. And so I just wanted to note
	13	that trend that we heard from multiple parties yesterday when they were
	14	proposing specific commitments.
09:36AM	15	How many commitments did we wind up with yesterday,
	16	Catherine?
	17	So we'll go through the final language of the commitments from
	18	yesterday today. There might be more -- we'll go through the final
	19	language of the commitments from yesterday later today, and there
09:36AM	20	may be more. But I just want to encourage the GNWT to really try and
	21	be as open as you can be when you're hearing parties say these are
	22	commitments that would help make a lot of these issues fall off the
	23	table, that would resolve some of their concerns. You know, there's a
	24	real opportunity here, and I know that being part of a very large
09:37AM	25	organization there's certain constraints on what you can agree to on the
	26	spot as well. I get that's a thing. But there are real advantages to trying
	27	to constructively be as open as you can to the commitment request and

09:37AM

1 try to resolve them as soon as you can because they're giving you flags  
2 of what issues really matter to them as they don't see as being resolved  
3 and that can really help with the design and management of a project  
4 that, in some ways, it can make for a smoother operation and less time,  
5 effort, and money spent reacting to problems if they're able to avoid  
6 them.

09:37AM

7 I'd also observe that the community working groups, it sounds  
8 like they have quite a focus on minimizing or avoiding social impacts in  
9 communities, but we haven't heard as much about preventative --  
10 proactive preventative measures, to prevent these things from  
11 becoming increased problems in communities. Are there ways that you  
12 can operate a road to reduce the flow of drugs and alcohol, for  
13 example. That's part of why we asked that information request, to find  
14 out what alternatives RCMP have used effectively in similar situations in  
15 other places in the country. And the board are remains interested in  
16 seeing if there are ways to prevent many of these social issues from  
17 getting worse rather than just work with community groups to figure out  
18 how best respond to them when they happen.

09:38AM

09:38AM

19 But we have heard loud and clear that the responses are slower  
20 in communities that don't have the social infrastructure that don't have  
21 the medical help or the social work inside the communities, and that the  
22 time the community -- inside communities can respond to major crises  
23 like that is much slower than it would be down south. And that the time  
24 it would take to respond to something like a road accident could be  
25 slower and that could have ramifications on how severe the outcomes  
26 are.

09:38AM

27 So there's been a lot of discussion and it all kind of interrelates.



1 Now I want to try and put it into high gear and get through the rest of our  
2 socio-economic questions, because I don't want to cut short our  
3 discussion on culture, harvesting, traditional land use. You know, these  
4 are very important topics and we've got a set amount of time.

09:39AM 5 So anyway, Fred and Judith, thank you again, for summarizing  
6 so much and starting us off in a good way. Judith.

7 JUDITH WRIGHT-BIRD: Judith Wright, Fort Norman Metis Community. I  
8 just have one more question from GNWT about -- there's going to be a  
9 corridor working group created. Can you explain that, and who's going  
09:39AM 10 to be sitting on that committee and when will it be implemented.

11 SETH BOHNET: Seth Bohnet, GNWT. Thank you, Judith, for the  
12 question. So, yes, the GNWT has committed to establishing a corridor  
13 working group with representation on that group from the various  
14 Indigenous government community organizations, GNWT departments,  
09:40AM 15 and anybody else -- I think we have a short list of proposed individuals  
16 that could be on that group. It has not been finalized yet.

17 As part of the ongoing engagement that the GNWT is doing with  
18 DPRA in the communities, we are working right now to identify who  
19 should be on that working group. As well as the subgroups. So, again,  
09:41AM 20 there are subgroups, subcommittees, that will help develop the  
21 management monitoring plans that we've got outlined. So that  
22 engagement is still ongoing. We have proposed a development of a  
23 working group, and we're still open to finalizing who would sit on it.

24 JUDITH WRIGHT-BIRD: Okay. I wasn't sure if it was part of this  
09:41AM 25 process or if it was another working group that you were establishing.  
26 Thank you.

27 SETH BOHNET: Thanks, Seth Bohnet, GNWT. Yes, the corridor

09:41AM 1 working group is sort of the parent group with subgroups underneath it,  
2 subcommittees underneath it.

3 ALAN EHRLICH: Thanks, Seth, that helps. So as I said, we're  
4 going to kick into high gear now just so we can get through the rest of  
5 our socio-economic before we hit the cultural topic that's the main part  
6 of the morning.

7 Over to Todd for Dél̓ıne.

09:42AM 8 TODD SLACK: It's Todd on behalf of Dél̓ıne Got'ıne  
9 Government. And I do notice that you're looking directly at me every  
10 time you say "high gear". So, message received.

11 ALAN EHRLICH: Not an accident.

12 TODD SLACK: I'll just echo one of the things that Alan said a  
13 few seconds ago, and I will echo it very quickly. The point of  
14 engagement is an outcome. It's not engagement as a mitigation. The  
15 engagement is the mechanism by which you get to the outcome. So  
16 underline there.

09:42AM 17 And then moving onto the other aspect, and it's a restatement of  
18 why we want to work together. You know, we want to make this project  
19 better. It's going to affect the communities. There's clearly a desire.

20 And, you know, right from the start of Tuesday -- sorry, we talking about  
21 working together on a measure that looks at preserving flexibility for the  
22 proponent, recognizing your funding constraints, things along those  
23 lines, your interest, but also some of the interests that we've heard  
24 today, or this week at least. You know, independence. It grants  
25 authority to the working group direction. It sets out resourcing that  
26 doesn't limit the operation and the implementation of their  
27 recommendations.

09:43AM

09:43AM

1           You know, we'll work out the -- and I heard that, you know,  
2           there's a willingness to try to sort this out; that's great, let's do it. It  
3           solves a lot of the data limitations. But, again, to restate why it's  
4           important, in the absence of the details and in the absence of the  
5           mitigation to lower impacts from significance, we don't have that and  
6           we don't have an agreement on how we're going to work together, then  
7           that data and those operations need to be made clear in the  
8           assessment otherwise it's impossible to assess this project.

09:44AM

9           So just to restate that we don't need that as long as there's a  
10          plan to do it afterwards.

11          And, you know, this isn't -- it shouldn't have been a surprise.  
12          This is a key line of inquiry which I like -- I had my friend here look at the  
13          definition. It's an area focused that is critical to understanding the  
14          potential impacts. It addresses issues of public concerns.

09:44AM

15          When you look at the DAR, your community meetings, like you  
16          guys have heard these things like time and time again. You know, that's  
17          why it's a key line of inquiry from ten years ago, that's why it's a key line  
18          now, and that's why it has to be addressed in a broad manner, to take  
19          that off the table and to start to resolve the concerns. You know, this  
20          whole process is about resolving things.

09:45AM

21          And so just to wrap up, you know, I was, perhaps not optimistic  
22          yesterday but I'm trying to be optimistic today, I'm taking the project in  
23          good faith. And I just want to say there's an opportunity to move quickly  
24          here. This is not rocket science. Jointly proposed measures have  
25          existed in this -- in the MVEIRB history. We have TASR's measure to  
26          work from, to improve on. Like that narrow -- narrows the scope. But,  
27          you know, I think there's a real opportunity to get a lot of the broad

09:45AM

1 concerns -- you know, there's always going to be small things below  
2 that to get a lot of that done, and DGG is pretty optimistic about this.  
3 So, thanks.

09:45AM 4 ALAN EHRLICH: Thanks Todd. Is there a response or a question  
5 you're looking for?

6 TODD SLACK: No.

7 ALAN EHRLICH: Okay, no, thanks for the statement. There's a  
8 lot in that, and we appreciate that there's obviously been a lot of  
9 reflection over the last couple of days going into that too.

09:46AM 10 Now we're going over to Pehdzeh Ki First Nation. We very much  
11 appreciate all the contributions you've made to the discussion. Being  
12 aware of our time constraints, how many questions do you have?

13 JANE HENDERSON: Jane Henderson for PKFN. I would say we  
14 have roughly four questions on socio-economic impacts before moving  
09:46AM 15 into the cultural and traditional land use section.

16 ALAN EHRLICH: Like I said, I recognize there's some overlap,  
17 and that's okay.

18 I also just want to remind everyone in the room that we're going  
19 to have a round of information questions, written information requests,  
09:46AM 20 starting after the technical sessions. And so if people do have extra  
21 questions don't forget that it doesn't mean that you can't ask them, right.  
22 But there's an opportunity to ask them in a systematic sort of written  
23 manner in our information requests after this.

24 Okay, PKFN, please go ahead

09:47AM 25 JANE HENDERSON: Thank you. Jane Henderson, Pehdzeh Ki First  
26 Nation. So returning to yesterday, as Elder Tim Lennie told you all  
27 yesterday, and thank you, Tim, for your generosity in speaking, the

1 proposed work risks the future survival of the community of Wrigley,  
2 which must be considered as a significant adverse effect. That is risk  
3 with the project. He described that when the highway first arrived -- can  
4 you hear me?

09:47AM

5 So Tim was describing that when the highway first arrived,  
6 members left. The developer only considers -- so I'm going to use the  
7 word "cumulative effects" here and please notice that we are not  
8 socio-economic analysts in the formal sense. We may be misusing the  
9 phrase "cumulative effects" by using it in an informal way, and I hope  
10 you can understand what we're getting at.

09:47AM

11 So, you know, the developer considers physical projects as part  
12 of a cumulative effects assessment, and to PKFN this -- using it just to  
13 talk about physical effects doesn't make sense because there are  
14 cumulative socio-economic effects in the picture. So for PKFN it means  
15 that the loss of members, members moving away from the combined  
16 effects of a highway extension and the regionalization of services that  
17 Tim described, right, the removal of services from Wrigley, this must be  
18 considered as part of the larger picture because these are, from their  
19 perspective, cumulative effects of government decisions here, right.

09:48AM

20 And so Tim spoke yesterday about the effects of people leaving  
21 after the first highway extension. And to add a further piece of history  
22 here, when Pehdzeh Ki First Nation was relocated from Old Town to  
23 what became Wrigley in the 1960s, at that time Canada made promises  
24 for housing as part of their relocation, which were not kept and have  
25 never been kept, and at that time members also had to make the  
26 difficult decision to leave because they were relocated but had no  
27 homes.

09:48AM

09:49AM

1                   So we've got that piece in the '60s, and then as Tim described in  
2                   the '90s, members found they had to leave to access education and  
3                   health care. And so to Pehdzeh Ki First Nation, the proposed highway  
4                   is the latest in a much longer and broader series of projects by colonial  
5                   governments. And of course, not being able to live in the N'deh makes  
6                   it much harder to exercise Aboriginal and Treaty rights in N'deh or to  
7                   carry out Dene responsibilities toward the N'deh, including teaching the  
8                   next generations on the land.

09:49AM

9                   So I put this out to you that PKFN, with the potential adverse  
10                  highway impacts are extremely significant and must be considered in  
11                  light of this history. So two questions on this, really, three. The  
12                  question is first, since there is no socio-economic analysis in the DAR  
13                  that considers PKFN, what timeline would be needed for any analysis to  
14                  be included in the addendum? Is it even possible?

09:49AM

15         SETH BOHNET:                 Seth Bohnet, GNWT. Thanks for the question,  
16                 Jane. So as we've referenced already, there has been challenges  
17                 incorporating specific socio-economic information from Pehdzeh Ki over  
18                 the last few years and into what's currently in the DAR. But in the  
19                 current work plan, there is the opportunity to provide updates to the  
20                 DAR through a proposed addendum. That is a very tight timeline, so  
21                 we are open to and willing to come in and meet with the Pehdzeh Ki  
22                 First Nation to explore these types of issues specifically and, you know,  
23                 it would likely take a few days of one-on-one conversations with the  
24                 various organizations and individuals in the communities, similar to what  
25                 we have been doing in all the other communities, and we're open to  
26                 doing that as soon as possible with the thought of incorporating any  
27                 additional information in that DAR addendum.

09:50AM

09:51AM

1 JANE HENDERSON: Jane Henderson PKFN. Thanks, Seth. And  
2 what is the timeline? I understand that you're proposing a few days of  
3 your workers coming into the community. I don't know the timeline for  
4 when the DAR addendum needs to be written and how much time you  
5 need to assess the information and meaningfully incorporate it.

09:51AM

6 SETH BOHNET: Seth Bohnet, GNWT. Thanks again for the  
7 question. Right now we're looking at trying to maintain the tentative  
8 schedule and the work plan that the board has provided for the  
9 completion of the EA. There isn't a specific date, but there's a target for  
10 it to be provided in the spring of 2025. And my understanding is that  
11 that work plan is here and will be updated shortly.

09:52AM

12 MARK CLIFFE-PHILLIPS: Mark Cliffe-Phillips the Mackenzie Valley  
13 Review Board. So at the end of the technical sessions we'll need to  
14 evaluate the work plan, have discussions with parties as well as look at  
15 the timelines for the next round of information requests, so looking at  
16 how many information requests, and the response timeline is going to  
17 be a little dependent on what that next step moving into the hearing  
18 phase.

09:52AM

19 The idea around the DAR addendum is to have adequate time  
20 for parties to formulate their interventions to hearings, so once we know  
21 a little bit more detail of when that IR phase will be completed, we'll  
22 have to calculate the timelines to get us to hearings. So I don't have a  
23 definitive timeline, but that general timeline of spring of 2025 is still with  
24 the board as looking to work towards. Seth.

09:53AM

25 SETH BOHNET: Thanks for that. Seth Bohnet, GNWT. In  
26 follow-up, again, what I would like to do and what I'm interested in from  
27 PKFN is when is a time available? We'd be happy to come in as soon

1 as we can to start those conversation and continue the dialogue moving  
2 forward.

3 JANE HENDERSON: Jane, PKFN. Thank you, Seth. We'll take it  
4 away and get back to you.

09:53AM 5 So the follow-up question is as I described, how is the context  
6 that I described, where PKFN would consider cumulative effects  
7 considered in socio-economic assessment.

8 SETH BOHNET: Thank for that, one Jane. Seth Bohnet, GNWT.  
9 I'll ask Timm to maybe speak to that one.

09:54AM 10 TIMM ROCHON: Timm Rochon, DPRA. Thanks, Jane, for the  
11 question.

12 So the way we -- and it is discussed and referred to in the DAR is  
13 the impacts of colonialism, residential schools, is discussed in terms of  
14 the identification of vulnerable populations, and the fact that those  
09:54AM 15 impacts definitely do impact populations differently, like Indigenous  
16 populations, obviously, and so there's a whole section on vulnerable  
17 populations, and so that's more or less how it is discussed.

18 JANE HENDERSON: Jane, PKFN. Thank you, Tim. Moving on to  
19 our next question. This question refers to three different impacts.

09:54AM 20 Acknowledging that PKFN's assessment has not yet been done for  
21 PKFN and Wrigley, we would like to flag certain kinds of impacts to see  
22 if they're already considered in the DAR because they are relevant to  
23 Wrigley.

24 So the first question is about the impact of community members  
09:55AM 25 leaving for work. There are three different impacts we'd like to discuss.  
26 So it's predicted by the community that the population of Wrigley will  
27 initially decline if PKFN members become workers who leave the



09:55AM

1 community for training or to build the highway further north. And if. As  
2 predicted, the highway makes resource development projects possible  
3 in the region, then members would likely leave the community for  
4 further training and employment as well.

09:56AM

5 Members have stated that in those situations, family care roles  
6 would have to change if more young people enter the workforce  
7 because young people have less time to care for the young and the  
8 Elderly, and this observation is supported by studies on the effects of  
9 work projects on Indigenous communities. I can provide citations, but  
10 for the interest of time, I won't get it in here. But, typically, the partner  
11 that stays at home must take on additional household responsibilities  
12 both while their partner is away working or training and also when they  
13 return home, as the worker is often recovering from difficult work.

09:56AM

14 So that's the first impact is the change in family care roles. And  
15 secondly, as young men traditionally are the demographic that work in  
16 both outside development jobs and hunt, this can lead to a breakdown  
17 in knowledge transfer from Elders in the youth as the young men are  
18 leaving for the work, which can lead to a decrease in hunting practices  
19 for a community.

09:56AM

20 And then thirdly, being away from the community for work and  
21 training can prevent workers from participating in community  
22 gatherings, and this can lead to negative impacts on leadership,  
23 recruitment, and training in the community.

09:56AM

24 All of these potential impacts have been flagged by PKFN  
25 members as concerns. And I would like to ask, how has the developer  
26 accounted with these impacts on the N'deh care of youth and Elders,  
27 family dynamics, knowledge, transmission, and leadership

1 development? Thank you.

2 TIMM ROCHON: Timm Rochon, DPRA. Thanks for the question,  
3 Jane, and a great question.

4 I'll just start by saying, then I'll hand it off to my colleague Jen,  
09:57AM 5 who is on the line who I know wants to get involved in this discussion,  
6 but --

7 So those issues that you've raised certainly were discussed in all  
8 the other communities, and so they are identified, actually, in the DAR,  
9 and they're discussed in the human health and wellness VC in terms of  
09:57AM 10 the various effects, and there were nine potential effects in that VC.

11 And so maybe what I'll do is, is I'll let Jen, kind of, give you more  
12 detail in terms of how we actually did that and how they are discussed,  
13 but they're great points, and, yes, they were -- they are discussed and  
14 addressed in the DAR. So, Jen, I'll hand it over to you.

09:58AM 15 JENNIFER HENEBERRY: Good morning. Can everybody hear  
16 me? Hoping I fixed my sound issues from yesterday.

17 ALAN EHRLICH: You sound good, and we can see you just fine.

18 JENNIFER HENEBERRY: Excellent. Jen Heneberry, DPRA  
19 Canada. Thanks for the question, Jane.

09:58AM 20 Yes, as Tim notes, these issues as you have expressed yourself  
21 and as we reflect in the DAR, many of these issues are connected  
22 together, many of the project effects, and so they are discussed in kind  
23 of a cross-sectional way. That being said, the DAR identifies what are  
24 called effects pathways, so how might the project affect socio-economic  
09:58AM 25 conditions in communities. And so some of the things that you're  
26 describing around having less time to care for family, some of those  
27 family cohesion issues, there is a part of the health -- human health and

	1	community wellness part of the DAR that speaks to community family
	2	and social ties and what are some of the affected pathways that may
	3	result in changes to those conditions in communities.
	4	We also discuss as part of the employment and economy,
09:59AM	5	changes that may result as a result of employment on the project to
	6	traditional economy practices. So the ability for community members to
	7	participate in the traditional economy as a result of employment on a
	8	project.
	9	I recognize this is not exactly some of the concerns that you're
09:59AM	10	raising, but they are related, and certainly I think -- I'm just looking at
	11	your list. I want to make sure that I'm getting them all.
	12	You do talk about, in several places, how hunting practices -- we
	13	don't cover the cultural impacts; that's a different part of the DAR, but
	14	we do talk about how non-traditional resource use and impact by those
10:00AM	15	coming outside may change land access and hunting access and what
	16	issues that might have.
	17	So while those are not -- some of those are not directly
	18	connected to what you're speaking about, they do take into --
	19	ALAN EHRLICH:        Hold on. Your sound cut out. We heard right
10:00AM	20	up to "when people come from outside that may change land access",
	21	and then your voice Petered out.
	22	JENNIFER HENEBERRY: Am I better now? Am I back?
	23	ALAN EHRLICH:        No, I can't tell. Is it clear online? Is this a room
	24	problem or a Zoom problem?
10:00AM	25	UNIDENTIFIED SPEAKER: It's a Zoom problem,yeah.
	26	ALAN EHRLICH:        So we're having a problem with the Zoom at this
	27	point. Why don't you try turning off your camera and -- no. Okay, so

1 we've got people online saying they can still hear you loud and clear.  
2 We think it's a room problem.  
3 Other people online can hear her fine. We're working on it.  
4 Martin from PIDO is struggling nobly with the issue.

10:01AM 5 JENNIFER HENEBERRY: Okay. I can hold for a minute while we  
6 get --

7 ALAN EHRLICH: No. You're back. You sound great. Go ahead.  
8 So you were saying, when people come from outside that may also  
9 reduce access to harvesting for community members, and right after  
10 that, we kind of didn't hear.

10:01AM 11 JENNIFER HENEBERRY: Okay. Jen Heneberry, DPRA. Thank  
12 you.

13 And so all of the DAR sections do reflect the engagement  
14 findings to inform the assessment. And I think all of these affects  
15 pathways that I described in the sections of the DAR are related, I think,  
16 Jane, to the issues that you have raised and are covered. And I think  
17 certainly as part of any engagement that we might do with PKFN in  
18 community, we would ensure that we would, you know, update the  
19 engagement findings or make sure that they are reflected as project  
20 effects in an update to the DAR if and as required. So if the existing  
21 effects pathways need to be broaden or other things need to be  
22 considered, we would obviously do that as part of the engagement on  
23 the assessment as part of our assessment of the potential project  
24 effects on socio-economic conditions.

10:01AM 25 So I think I've addressed the three issues, but, please, let me  
26 know if there were any that I missed in the three issues that you wanted  
27 to discuss specifically.

10:02AM

10:02AM

1 ALAN EHRLICH: No, that's good. And, again, I just want to  
2 encourage everyone to try to be concise in your responses and  
3 questions, if you can, just so that we have enough time to get through  
4 what we want to get through and get into some of the cultural aspects  
5 and harvesting aspects in more depth this morning, but we heard your  
6 answer loud and clear. Back to you Jane.

10:02AM

7 JANE HENDERSON: Thank you, Alan, and thank you, Jen.  
8 So in the interest of time, I will just ask that if specific mitigation  
9 measures have already been proposed for those kinds of impacts,  
10 could you, please, direct us to them, and if they have not, then we'll just  
11 assume that they have not at this time, but if they have been, please, let  
12 us know.

10:03AM

13 Moving on to the next question. So the next question can bluntly  
14 be summarized as, are there risks that the developer is repeating past  
15 mistakes? The GNWT proposed similar aspirational plans for  
16 education and job training and employment in the 1992 implementation  
17 plan for the Mackenzie Valley Highway extension; those plans included  
18 training programs up to four years, kind of co-op education and work  
19 setup, construction contracts tailored to the capacity of local businesses  
20 and business develop support that was customized for individual  
21 communities. However, in 1995, the Barcon report -- I can provide  
22 citations, I'm sure you're familiar with it, which was commissioned by  
23 the GNWT, heavily criticized this plan as unlikely to bring significant  
24 socio-economic benefits for Indigenous communities.

10:03AM

25 The Barcon report also criticized project-related training  
26 initiatives as poorly planned and being implemented too late to be  
27 effective.

10:03AM

	1	PKFN's question is how has the developer incorporated the
	2	findings of the Barcon report into the DAR? Given that -- and also given
	3	that many of the plans do not yet exist, how can the developer and
	4	Pehdzeh Ki First Nation have confidence that they will not be poorly
10:04AM	5	planned and too late?
	6	ALAN EHRLICH: GNWT.
	7	SETH BOHNET: Seth Bohnet, GNWT. Thanks for the question,
	8	Jane. I don't have an answer at the moment. We'll take that one away,
	9	and well agree back to you on it.
10:04AM	10	ALAN EHRLICH: Thanks. PKFN.
	11	JANE HENDERSON: Thank you. And this is our last -- Jane for
	12	PKFN. This is our last question on socio-economic impacts.
	13	Just yesterday it was discussed, I think many parties are in
	14	agreement that it's very valuable to have the indicators for any future
10:04AM	15	monitoring framework to be developed in consultation with communities
	16	so that relevant indicators can be used, and I -- PKFN requests a
	17	timeline on when those relevant indicators will be created so that
	18	baseline can be established as soon as possible.
	19	SETH BOHNET: Seth Bohnet, GNWT. Thanks for the question,
10:05AM	20	Jane.
	21	So as we've currently got proposed, we've heard loud and clear
	22	that communities want to be involved in the development of those
	23	indicators, which is reflected in the idea of establishing the corridor
	24	working group and sub-working groups to do just that, and our goal is,
10:05AM	25	again, of course, to have that work done and completed prior to
	26	construction.
	27	MARK CLIFFE-PHILLIPS: Just a question to -- just, I guess, a question to

10:06AM

1 GNWT around the indicator work that came out of the measures from  
2 both Jay and Diavik that there was some community wellness or cultural  
3 indicators and socio-economic indicators that were being done for  
4 diamond mining communities, but just in terms of sharing some  
5 information on what other communities have done as an example for  
6 this project, if GNWT wants to share that with parties on the record.

10:06AM

7 MORGAN MOFFITT: Morgan Moffit, GNWT. So I'm actually going to  
8 start with the Tłıchq All-Season Road/Tłıchq Highway because I think it's  
9 a more relevant process to this one, but I'll talk as well about the Diavik  
10 process, just -- they chose to go in a different method for doing their  
11 indicator selection.

10:07AM

12 So with the Tłıchq Highway, I believe Pat spoke -- Patricia spoke  
13 yesterday briefly about the timeline for the work when we started that.  
14 So by January 2019, we had our first meeting about how are we going  
15 to be tackling the measures that we've been jointly assigned as well as  
16 independently assigned, and we continued those conversations into the  
17 spring. At that point, we had already formed our sub-working group.  
18 The first terms of reference we had drafted by the Tłıchq Government,  
19 and that was done in the earlier winter, around February.

10:07AM

20 So after that, we started our truly collaborative process, which  
21 was really the GNWT departments and the Tłıchq Government as well  
22 as their consultant going through a vast list of data that we had available  
23 to us in the GNWT, and asking what are the questions and what are the  
24 areas and concern that we have. And then also asking about the data,  
25 what does this actually tell us. Because sometimes you're provided an  
26 indicator, like, say, teen pregnancy, and it's not really answering the  
27 question that you're concerned about; so you want to find other areas of

10:08AM

1 information where you can complement it, like qualitative reports from  
2 the community. Same with some information on STIs.

3 So we started first by creating the questions on areas of  
4 concerns that we all had together, and then after we made our topic  
10:08AM 5 groupings, looking at each data set and bringing in the experts within  
6 each department that could speak to what that data set says, and this  
7 also included bringing in the nurses from the communities, talking to the  
8 RCMP and having both of them run different types of tests to look at  
9 what we had seen or what we had expected to see in the baseline data.

10:08AM 10 So, for example, we talked about, in the Tłıchq Highway, the spike when  
11 the northern -- when the winter road was opened, and we wanted to  
12 look at that again, at the beginning of the working group. And we had  
13 an excellent analyst from the RCMP who came in and did that with us,  
14 and they would go through all of the different changes they see.

10:09AM 15 That went on for about a year, really, and we would meet  
16 monthly -- sometimes we'd miss a monthly meeting, and then we  
17 narrowed it down to -- I think, it's 36 different indicators that we're  
18 interested in. And it's been notes throughout that -- like, some data at  
19 the community level, especially due to privacy concerns, we can't share,  
10:09AM 20 but when we have agreements put into place, we can share them within  
21 the working group to discuss them and ensure that we're monitoring it.  
22 And so we identified those there, and we have those discussions in  
23 person.

10:09AM 24 I believe we finalized our indicators within the two-year period,  
25 and part of that timeline was pushed back, frankly, because I was on  
26 mat leave. Apologies. Thank you. Beautiful baby. And so we continue  
27 this monitoring group. It's now on the GNWT's side, led by Health and



10:10AM

1 Social Services with Melissa Pink, but on the Tłıchq Government side,  
2 we continue to meet, usually monthly, at least eight times a year for  
3 [inaudible] monthly meetings, and we discuss issues in the community,  
4 changes that we're seeing, questions that we have, and it's really, like,  
5 driven by the interests of the communities in the Tłıchq Government.

10:11AM

6 For the Diavik measure, the process was different, and I  
7 probably shouldn't speak to it as the ECE employee because it's led by  
8 ITI, but that work was done -- they can give you specifics through an  
9 intergovernmental council sub-working group. And it was led by ITI and  
10 a consultant and the IGs who were all at the table picking the indicators  
11 and discussing their concerns together, but I wasn't in that table; I was  
12 receiving information from that table. Thank you.

10:11AM

13 MARK CLIFFE-PHILLIPS: Just in -- Mark from the Mackenzie Valley  
14 Review Board. If you wanted to see the outcomes of that, they're  
15 available on the Review Board's website in the follow-up program  
16 reports, the annual reports for the Diavik EA.

10:11AM

17 ALAN EHRLICH: And it's Alan again. Some of the outcomes,  
18 we're not suggesting that the indicators that they wound up settling on  
19 for wellbeing in communities that were affected by that development are  
20 necessarily all going to be the same for those communities and those  
21 projects as they would be for this, but they might be a useful frame of  
22 reference to consider just to start instead of starting from scratch to  
23 decide for yourselves if they apply to the communities that could be  
24 affected by the Mackenzie Valley Highway or if there are changes that  
25 would be useful, but a lot of work, as you're hearing, has gone into  
26 them, and there's some useful models to work off of there, including  
27 with the engagement.

10:12AM

10:12AM 1 And I would point out that except for the Tłıchǫ Highway, the  
2 GNWT was not the developer for either the Diavik or the Jay Projects.  
3 They were doing that as part of health and social services and ITI. So,  
4 just so you get that that wasn't them in there as developer doing it, but  
5 they had the same expertise and experience.

6 Okay. So that's if for you question wise, PKFN? Thank you for  
7 that. Productive discussion. Morgan Moffit ,thank you very much for  
8 sharing your experience on this. It could be quite applicable. It was  
9 helpful. Thank you.

10:13AM 10 Now I'm going to go to Nina Barton who is a consultant for the  
11 Review Board.

12 NINA BARTON: Hi, Nina Barton for Two Worlds Consulting on  
13 behalf of the Review Board.

10:13AM 14 So I have a follow-up question further to what we've been  
15 hearing this morning and yesterday and also what's also in the DAR.

16 So the mitigation approach that's proposed specifically for the  
17 significant effect to the safety of women and girls and other vulnerable  
18 populations, that's what I'm talking about specifically. So in this -- I  
19 don't have the actual page in chapter 9, but the summary part of the  
10:13AM 20 assessment, I think it's page -- I have 85 here; I don't know if that's  
21 correct, but it states -- and also we heard this yesterday that the  
22 effectiveness of the proposed mitigation measures, including the  
23 adaptive management plans would be limited. So this is in the DAR. It  
24 says that it's anticipated that the significant residual effects on public  
10:14AM 25 safety will arise particularly on women and girls and other vulnerable  
26 groups or populations, sorry, due to the project even with the identified  
27 mitigations in place.

1 And this was also confirmed yesterday in this room. So further  
2 to this, can the GNWT commit to providing further detail, specifically on  
3 the safety and security plan for vulnerable community members as part  
4 of the DAR addendum, and to consider providing additional mitigation  
10:14AM 5 strategies to assess the significant adverse effect to the safety and  
6 security of women and girls and other vulnerable populations.

7 ALAN EHRLICH: Sorry, Nina, just to be clear, did you say provide  
8 additional mitigations s to assess or provide additional mitigations to  
9 prevent --

10:15AM 10 NINA BARTON: Thank you for -- to address.

11 ALAN EHRLICH: To address?

12 NINA BARTON: Yeah.

13 ALAN EHRLICH: Okay. Thank you. GNWT.

14 SETH BOHNET: Sorry. Can I have you just repeat that for me,  
10:15AM 15 please.

16 NINA BARTON: Yeah, certainly. Nina Barton, Two Worlds  
17 Consulting. So the question is, can the GNWT commit to providing  
18 further detail on the safety and security plan for vulnerable community  
19 members as part of the DAR addendum and to consider providing  
10:15AM 20 additional mitigation to address the significant adverse effect on the  
21 safety and security of women and girls and other vulnerable  
22 populations?

23 SETH BOHNET: Seth Bohnet, GNWT. So I would say that, yes,  
24 the GNWT can provide any additional information we have between  
10:16AM 25 now and the development of the DAR addendum that we receive  
26 through ongoing engagement and collaboration with the community  
27 organizations.

10:16AM

1 ALAN EHRLICH: Seth, it's Alan here. I think what you're being  
2 asked to do is not just provide additional information you happen to  
3 have right now, but it's to search deeply for creative ways to mitigate  
4 potential impacts on women and safety coming from this project, in  
5 addition to the mitigations that you've put forward so far.

10:17AM

6 And I'd also note that the inquiry on missing and murdered  
7 Indigenous woman and girls specifically made a conclusion that groups  
8 like the Review Board that are doing assessments on projects like this  
9 need to do better with respect to preventing these kinds of problems.  
10 The Board does take that quite seriously. The request isn't to take the  
11 information you have and package -- and then -- and see if there's  
12 something else in there that's helpful. It's to try hard to move in a  
13 direction that will better address this issue if the project goes ahead.

10:17AM

14 SETH BOHNET: Seth Bohnet, GNWT. Thanks for the  
15 clarification, Alan. So the -- I'm not saying that we're going to take the  
16 existing information and rehash it in some way, shape, or form. What  
17 I'm suggesting is that there's still the opportunity to have additional  
18 dialogue, add information to improve what's currently proposed, and  
19 anything that we can do to do that, to help inform and improve, we're  
20 open to additional dialogue; and we will present anything new in the  
21 DAR addendum at that point in time.

10:18AM

22 Again, reflecting that the development of that plan is intended to  
23 be a collaborative approach that is achieved through the -- I believe it's  
24 a sub-working group of the overarching working group, which is not yet  
25 established and is not proposed to be established until post the DAR  
26 addendum submission.

10:18AM

27 ALAN EHRLICH: Thanks, Seth. I appreciate that. And I also

10:18AM 1 consider the wealth of experience that the GNWT -- you know, the  
2 whole of government, includes health and social services, and we know  
3 that GNWT has extensive experience understanding what these issues  
4 are in a variety of different other communities that are already on the  
5 road system and should be in a very good position to come up with  
6 progressive, innovative, and effective mitigations. And if you're able to  
7 produce them before the DAR addendum, all the better because that  
8 way the scrutiny might be able to happen prior to the public hearing  
9 instead of during the public hearing, which can be helpful in other ways.

10:19AM 10 So thank you for that.  
11 Quick follow-up from Nina.  
12 NINA BARTON: Nina Barton, Two Worlds Consulting for the  
13 Board.  
14 Thanks for that. I just wanted to add, if this could include  
10:19AM 15 information specific to both instruction anticipated effects and then also  
16 operation effects, so looking at, you know, both the effects of incoming  
17 workers. Thanks. And then also operation and the use. Thanks.  
18 SETH BOHNET: Seth Bohnet, GNWT. Yes, it would consider  
19 both.

10:20AM 20 ALAN EHRLICH: Thank you. I'm deliberately delaying our break  
21 just a little bit. We have one more question from Ruari Carthew who is  
22 online on behalf of Gwich'in Tribal Council, and then we're going to have  
23 a break, and we're going to switch gears over to the cultural, harvesting,  
24 and traditional land use topic.

10:20AM 25 Ruari, it's your opportunity.  
26 RUARI CARTHEW: Ruari Carthew, R(E)C Consulting representing  
27 GTC. Thank you very much. I have a question related to the

10:21AM

1 Mackenzie Valley fiber line. Before I do, I just want to quickly add a  
2 point related to talk on the Tłıchq community working group that comes  
3 up often as a good example of GNWT initiatives to work with  
4 Indigenous governments and communities to lessen the undesired  
5 effects of highways. This is a, I think, important to acknowledge that  
6 this reference to the TCWG involves the GNWT sharing power and  
7 authority with an Indigenous government to understand and resolve  
8 issues that are being observed and discovered, and it's a good example  
9 of why elements of shared agency and authority between government is  
10 so important as has been talked about yesterday and on day one.

10:21AM

11 So my question related to the MacKenzie fiber optic link is that,  
12 back when the Inuvik to Tuk Highway was being built -- and this is  
13 mentioned in the ER23 -- it was clearly stated that building the  
14 highway -- Mackenzie Valley Highway along the fiber corridor would be  
15 likely to damage the cable, and the conventional wisdom was to build  
16 the highway first and then add in the fiber afterwards. Obviously, you  
17 know, just the reality of the days and the situations, it's not how things  
18 went, and now we have a fiber line in and they're talking about building  
19 a road.

10:22AM

20 So there are potential risks to the Mackenzie Valley fiber optic  
21 line, and this is a great concern to GTC as Gwich'in members and  
22 businesses rely on this line as good cohesive infrastructure. So  
23 damage or delayed service would be disruptive to users in the GCA and  
24 ISR. Section 5.3.3 of the DAR provides a brief description of the MVFL  
25 and adds that GNWT will identify the location and work with the  
26 operator to implement appropriate precautions to prevent damage.  
27 GTC believes it's important to understand the risk of the project to users

10:22AM

10:22AM

	1	of the fiber line and to -- and ways GNWT will take to reduce or prevent
	2	accidents.
	3	I've simplified in the interest of time the questions. Has the
	4	GNWT conducted a risk assessment for direct and indirect risk to the
10:23AM	5	Mackenzie Valley fiber line?
	6	ALAN EHRLICH: Thanks Ruari. GNWT.
	7	SETH BOHNET: Seth Bohnet, GNWT. Thanks for the question.
	8	So the short answer to that question is no, there has not been a risk
	9	assessment undertaken specific to the Mackenzie Valley fiber line.
10:24AM	10	However, we have identified the need to work with the owners of all
	11	infrastructure in the region to mitigate risks to existing infrastructure as
	12	part of the project moving forward. So it is something that we have
	13	identified and need to do.
	14	ALAN EHRLICH: Thanks. Ruari.
10:24AM	15	RUARI CARTHEW: Ruari Carthew with GTC. Can the updated
	16	economic business case include scenarios that cost out the risk of a
	17	line break, including the cost to fix a generic break and the induced lost
	18	to businesses that assessment to further factor in the anticipated
	19	frequency of those breaks due to construction, activities, or breaks
10:24AM	20	occurring as a result of accidents or increased access along the road
	21	during operations. It would also be good to have an associated
	22	assessment of risk to critical services in the DAR addendum.
	23	ALAN EHRLICH: Is there a question with, that Ruari?
	24	RUARI CARTHEW: Can the DAR addendum also include an
10:25AM	25	assessment of risk to critical services in the events of breaks to
	26	Mackenzie Valley fiber optic line?
	27	ALAN EHRLICH: Thanks. GNWT.

10:26AM

1 SETH BOHNET: Seth Bohnet, GNWT. So what we proposed is  
2 that, again, if we're talking specifically about the Mackenzie Valley fiber  
3 line, that where there's interaction between the project and the fiber line,  
4 the GNWT will need to work with the owner of the fiber line to mitigate  
5 any potential interactions and appropriately address, and that those  
6 mitigations would be sufficient through some sort of a formal agreement  
7 with the owner. So at this point in time, it's not going to be incorporated  
8 into the business case that we're updating, and there's not going to be  
9 anything new along that line provided in the DAR addendum.

10:26AM

10 ALAN EHRLICH: Thanks. Ruari.

11 RUARI CARTHEW: Ruari Carthew, GTC. Can GNWT confirm that  
12 it remains a partner and joint venture with Ledcor and NorthwesTel to  
13 operate and maintain the Mackenzie Valley fiber optic line?

10:27AM

14 SETH BOHNET: I'll have to come back on that. Sorry. Seth  
15 Bohnet, GNWT. Sorry. I'll have to come back with that one, sorry.

16 RUARI CARTHEW: Thanks. Ruari Carthew, GTC. That's it. Thank  
17 you for your time.

18 ALAN EHRLICH: Thanks, Ruari.

10:27AM

19 MARK CLIFFE-PHILLIPS: Mark Cliffe-Phillips with the Review Board. We  
20 just have one other question. Just regarding the action plan from  
21 GNWT to respond to the Calls for Justice on Missing and Murdered  
22 Indigenous Women and Girls and Two-Spirited LGBTQIA+ people,  
23 there's Action 68, which is a requirement for -- at the time GNWT lands  
24 through environmental assessment to consider actions that the GNWT  
25 would take to address security and safety concerns of women and other  
26 vulnerable groups within the resource extraction industry, so that was a  
27 primary focus.

10:27AM



	1	Just a question to GNWT on how or if you've considered that
	2	same action within GNWT's planning for the infrastructure project for
	3	Mackenzie Valley Highway.
10:28AM	4	SETH BOHNET: Seth Bohnet, GNWT. Just give me a moment,
	5	please. We're going to need some time, and then we'll come back to
	6	you what that one. Thank you.
	7	ALAN EHRLICH: Okay. I'm going to ask you to ponder that over
	8	the break because we're a little bit late for the break.
10:29AM	9	Let's start again at 10:35 sharp, so it's not really a long break; it's
	10	kind of super short. Long enough to get to the coffee and the bathroom
	11	and get back.
	12	So thanks, everyone. And when we get back, we'll get the
	13	GNWT's response, and after the GNWT's response, we're getting into
	14	culture, harvesting, traditional land use. Thank you.
10:29AM	15	- SHORT RECESS -
	16	ALAN EHRLICH: Please go ahead.
	17	MELISSA PINK: Melissa Pink, GNWT. And Alan, I think the
10:43AM	18	question was how were the Calls to Justice and the actions considered
	19	in developing the DAR. So section 9.16.2.1.2 talks about the safety and
	20	security plan, and it mentions in there that we will be working with the
	21	GNWT's MMIWG working group in the development of the plan and that
	22	the Calls to Justice and the action plans were actually considered when
	23	we started to develop the community readiness strategy and the safety
	24	and security plan, so we will continue to include those actions and Calls
10:43AM	25	to Justice. Thanks.
	26	MARK CLIFFE-PHILLIPS: Mark Cliffe-Phillips with the Review Board.
	27	Thanks for that response. So I guess the question originally related to

10:44AM

1 the specific action, which was 68, which was the extractive industry one,  
2 and this is more just in general the application. The action plan  
3 explicitly relates to extractive industries, and I guess the question is --  
4 do we understand for this project, you're describing the approach that  
5 you're using, but in general, would -- for infrastructure projects going  
6 forward, would GNWT be applying the similar action plan for all  
7 infrastructure projects. But, we'll just leave it at that. I appreciate the  
8 answer. We'll look at the sections, but the idea around -- the lens is  
9 always on the GNWT reviewing these actions through the lens of  
10 reviewing other extractive industries, resource industries, but in the case  
11 where there's a whole of government approach and GNWT is the  
12 proponent, would that action still apply through a different lens. But  
13 thank you for that response.

10:44AM

10:45AM

14 ALAN EHRLICH: Okay, thank you. Our next item is a  
15 presentation -- a ten-minute presentation from the GNWT on their  
16 predictions about the potential impacts of the project on culture,  
17 traditional land use, and harvesting. To the GNWT.

18 SETH BOHNET: Seth Bohnet, GNWT. Erica, I believe, is going  
19 to lead us through these slides.

10:45AM

20 ERICA BONHOMME: Erica Bonhomme, Kalo Stantec. I do also want  
21 to introduce Laura Nuttall, who was here yesterday, and has headed  
22 back home and is currently somewhere in a car, in a bomb cyclone on  
23 the West Coast, so we'll see how all that works for her to participate in  
24 this discussion.

10:46AM

25 Just two slides, they're short, which will hopefully give us time for  
26 questions.

27 The assessment of potential effects -- I don't have the slide -- I

1 just have two slides, so if you could run those for me, that would be  
2 great.

3 The assessment of potential effects on culture and traditional  
4 land use, including harvesting is presented in chapter 11 including  
10:46AM 5 Appendix 11A. The assessment concludes that the project will not  
6 result in long-term changes to the availability of traditional resources for  
7 cultural use or access to traditional use areas. The project will change  
8 the availability of harvested resources and cultural use areas on and  
9 adjacent to the PDA, which is the footprint, that are directly affected by  
10:47AM 10 habitat loss; for example, vegetation clearing.

11 Notably, the project will increase and improve access to  
12 traditional use areas, cultural resources, and harvested resources. This  
13 may result in both positive and adverse affects.

14 During both construction and long-term operations and  
10:47AM 15 maintenance, individuals may experience effects differently.

16 The GNWT will continue engaging with Indigenous governments,  
17 organizations, and other affected parties on mitigations that may be  
18 needed to reduce the effects on culture and traditional use.

19 Next slide, please. Land and resource information from studies  
10:49AM 20 by Pehdzeh Ki First Nation and Łíídlıı Kúę First Nation that have been  
21 funded by the GNWT once those studies are available. And that's it for  
22 our presentation.

23 ALAN EHRLICH: Thank you. Does anyone have any questions  
24 for the GNWT on culture, traditional land use, or harvesting?

10:50AM 25 PKFN, please go ahead.

26 JANE HENDERSON: Jane Henderson for PKFN. Starting, a quick  
27 question, I understand, and correct me if I'm wrong, that all of the

	1	information that's on the walls is not yet shared or on the record; is that
	2	correct? And if so, when will it be shared?
	3	SETH BOHNET: Seth Bohnet, GNWT. The maps and images
	4	on the back wall are part of our engagement record. They are on the
10:50AM	5	public registry and available. These posters behind on this side are not
	6	currently on the registry but can be made available.
	7	ALAN EHRLICH: In that case, I don't think this grand enough for
	8	a commitment, but can the GNWT please submit those posters to the
	9	Review Board so we can put them on the record.
10:51AM	10	SETH BOHNET: I hear regularly that I never say yes, but yes.
	11	ALAN EHRLICH: Sounds like yes to me. Thank you. PKFN.
	12	JANE HENDERSON: Thank you. So I'll be blunt in this question. As
	13	we know, Pehdzeh Ki First Nation has been calling for a alternative
	14	route about five kilometres east of the Deh Cho since the beginning of
10:51AM	15	engagement on this project application. GNWT provided funding to
	16	PKFN for an engineering study about the viability of an alternate route
	17	outside the one-kilometre corridor, a study which has just finished in the
	18	last few weeks and which has not yet been shared with Infrastructure.
	19	But, in the last two days, we've heard, for a number of reasons, that
10:51AM	20	GNWT is deeply committed to the proposed route and we also know
	21	that the design and evaluation criteria for this project to prevent using
	22	an alternative route like the one Pehdzeh Ki First Nation has been
	23	calling for.
	24	So PKFN's question is, and here is where I'm being blunt, what is
10:52AM	25	the point of the alternative route study that the GNWT funded; how does
	26	Infrastructure think it can possibly be used?
	27	SETH BOHNET: Seth Bohnet, GNWT. So, again, to be candid,

10:52AM 1 it's difficult for me to speculate on how that information can be  
2 incorporated until we see the information. But, again, there is an  
3 openness and a willingness to continue to make adjustments and  
4 refinements to project design and project plans where we can moving  
5 forward. So once we have that information provided to us, we would  
6 envision working collaboratively with you to identify where  
7 improvements can be made and to particularly address concerns where  
8 we can.

10:53AM 9 ALAN EHRLICH: Just to clarify something we heard yesterday. I  
10 understand what you said, an openness to make adjustments and  
11 refinements to the route, but GNWT was very clear yesterday that is  
12 within the one-kilometre proposed corridor, and if I understand PKFN's  
13 point correctly, they're talking about something that is clearly an  
14 alternative to that identified corridor.

10:53AM 15 SETH BOHNET: Seth Bohnet, GNWT. So we have provided  
16 information already on where we're working with other Indigenous  
17 governments to make adjustments to the alignment outside of that  
18 one-kilometre corridor as well. Specifically, there's work underway  
19 around Bear Rock and around -- I believe, it's Big Smith Creek to adjust  
20 that one-kilometre corridor to ensure that there's flexibility to alleviate  
21 concerns with sensitive areas. So that's something that we are doing  
22 and can continue to do to the extent that we can.

23 ALAN EHRLICH: Thank you. PKFN.

10:54AM 24 JANE HENDERSON: I think to PKFN that's still frustrating or  
25 incomplete answer because the design and evaluation criteria of the  
26 project require using all existing watercourses. And so while you've  
27 given examples of places where there may be slight deviations from the

1 one-kilometre corridor, anything wildly beyond that is prevented by the  
2 design of the project, so -- or the criteria of the project. So PKFN is still  
3 left wondering how could this study possibly be used.

10:55AM 4 SETH BOHNET: Seth Bohnet, GNWT. So, again, once we  
5 receive the information from the PKFN that we anticipate is forthcoming  
6 here very shortly, we're open to having dialogues to see where that  
7 information can help influence the project. At this point in time, we don't  
8 have any evidence to indicate that those water crossings aren't  
9 appropriate.

10:55AM 10 ALAN EHRLICH: Thanks. I'm just going to tag environmental  
11 analyst advisor Clémentine Bouche as my stunt double when I step out  
12 for a second here. She's going to facilitate the next part.

13 CLÉMENTINE BOUCHE: Thanks, Alan. PKFN, do you have more  
14 questions, or did GNWT answer that?

10:55AM 15 JANE HENDERSON: We have more questions, and I think they follow  
16 on to that question, but we take that answer as your last.

17 CLÉMENTINE BOUCHE: Okay.

18 JANE HENDERSON: Jane Henderson, Pehdzeh Ki First Nation. So  
19 the next question is -- and this follows directly on to what you just said,  
10:56AM 20 Seth. To date you have no evidence that the existing water crossings  
21 are not appropriate to be used so you can't consider anything else until  
22 you would see evidence that would suggest that.

23 We've seen in the project description that the main way to  
24 reduce effects on cultural resources is to follow the winter road as much  
10:56AM 25 as possible. Of course, PKFN has been clear that that is not their  
26 understanding at all, and that the winter road, including its water  
27 crossings and all of the water crossings -- all of the water crossings

1 upgrades completed to date were created without sufficient consultation  
2 with PKFN.

3 We note that in the PDR and in the DAR, there's no traditional  
4 knowledge about Ochre River or the water crossing there at all. And  
10:56AM 5 PKFN has consistently expressed that the winter road route already has  
6 negative impacts on cultural resources and traditional land use. So to  
7 use the winter road will only deepen those negative impacts and open  
8 them up to year-round negative impacts. So PKFN questions the  
9 developer's basis for this conclusion that, again, the main way to reduce  
10:57AM 10 effects on cultural resources is the winter road route.

11 SETH BOHNET: Seth Bohnet, GNWT. So to be certain again, I  
12 don't think it is fair characterize that the existing route that is proposed  
13 does not incorporate any traditional knowledge or doesn't factor in any  
14 other considerations. The information that we have available to us right  
10:57AM 15 now has been utilized, including information that has been shared by  
16 PKFN in the past, particularly in the development of the project  
17 description report, which included information on culturally sensitive  
18 areas, areas of significance to the community. That has been factored  
19 into the existing project plan and design. And, again, we're open to  
10:58AM 20 collecting additional information and reviewing the additional information  
21 that PKFN has committed to providing to us moving forward.

22 JANE HENDERSON: Jane Henderson for PKFN. I will note there is a  
23 total absence of traditional knowledge on Ochre River, which is a major  
24 gap in the DAR.

10:58AM 25 Moving on, our next question is about culturally important areas,  
26 so we're speaking here about the area between Vermilion Creek and  
27 Bob's Canyon Creek, and if anyone wants, I'm sure one of the members

1 could point on the wall to where we're talking about since we don't have  
2 visuals here, but just for other folks in the room.

3 So the 2012 report, the PDR states at section 3.6.4.6 that  
4 between Vermilion Creek and Bob's Canyon Creek, seasonal flooding  
10:59AM 5 must be evaluated as there is a traditional hunting ground that cannot  
6 be avoided by the proposed alignment. The report recommends the  
7 study in this area to evaluate and validate traditional activities and  
8 wildlife presence so that an appropriate alignment can be designed.

9 There is important further detail about the density of traditional  
10 land use and PKFN's commitment to protecting it along the winter route  
10:59AM 11 in same report at page 71. Again, in the PDR, the map in figure 6  
12 shows where a high density area of traditional use and occupancy is  
13 shown between Strawberry Creek and Dam Creek, which was provided  
14 by the Deh Cho land use planning committee. I have all these maps if  
10:59AM 15 anyone wants to see them.

16 And furthermore, PKFN has indicated that the corridor between  
17 Vermilion Creek and west of Bob's Canyon Creek is a traditional hunting  
18 that's in the public consultation inputs sheets 6 and 7 in the 2012 PDR.

19 How has the developer incorporated PKFN's specific concerns  
11:00AM 20 and evidence about the important traditional land use area between  
21 Strawberry Creek and Dam Creek in the design of the highway?

22 ERICA BONHOMME: Erica Bonhomme, Kalo Stantec. As Seth  
23 mentioned, we do have the information that was provided from PKFN in  
24 the 2012 project description report. There are many maps in that PDR  
11:00AM 25 that were developed collaboratively between GNWT, its consultants at  
26 the time, and PKFN.

27 I would point out that there were nine optimizations proposed of



11:01AM 1 the alignment and that the optimizations proposed to avoid  
2 environmentally sensitive areas, areas of cultural importance. There  
3 may be others that have since been identified, but certainly the GNWT's  
4 collaboration with PKFN at the time was intended to address those  
5 specific issues in those particular areas where they were identified. And  
6 out of those nine optimized alignments -- optimizations of the alignment,  
7 the GNWT has incorporated eight of those in the current project  
8 alignment. The one exception is at White Sand Creek.

11:02AM 9 JANE HENDERSON: Thank you. Jane for PKFN. Our next question  
10 is about Mount Gaudet. So in the DAR at section 2.1.6.3 footnote 6, the  
11 developer states that the Mount Gaudet access road is now included in  
12 the scope of the Mackenzie Valley Highway Project and that access  
13 road is designed to reach a borrow source location.

11:02AM 14 This road was originally scoped separately because it was  
15 intended as a capacity building project for PKFN. However, in 2020,  
16 PKFN withdrew consent to that proposed separate project because it  
17 would cause irreversible damage to a sacred location and significant  
18 adverse spiritual effects. The First Nation and GNWT have been in  
19 conversation over this. The First Nation has informed the developer  
11:02AM 20 and the land and water board that, based on their Indigenous  
21 knowledge, quarrying at Mount Gaudet any further would be  
22 unacceptable. And after PKFN withdrew consent to that proposed  
23 project, the developer told the First Nation that the work would not go  
24 forward without their consent.

11:03AM 25 But the developer has not yet explained how this proposed work,  
26 which they know PKFN does not consent to, has now been brought  
27 back to life as part of the larger highway project. The GNWT has

1 known for years that PKFN cannot consent to the proposed quarrying at  
2 Mount Gaudet which makes the access road unnecessary.

3 What alternatives have been investigated and where are they in  
4 the DAR?

11:03AM 5 SETH BOHNET: Seth Bohnet, GNWT. So your characterization  
6 of events today is accurate. So, again, the idea of the Mount Gaudet  
7 access road was originally proposed as a standalone project to advance  
8 independently of the Mackenzie Valley Highway environmental  
9 assessment through its own regulatory process. That process was  
11:04AM 10 launched and initiated and, again, we did hear considerable feedback  
11 from the PKFN with concerns to the design and the plan for the  
12 development of that project specifically, which did lead us to withdraw it  
13 from its standalone process. So for the intents and purposes of  
14 ensuring that that gap is still assessed, it has been incorporated as part  
11:04AM 15 of the Mackenzie Valley Highway Project. However, the specific design  
16 has not advanced. Again, it -- there's still opportunity to improve  
17 design, and I can let Erica speak a little bit more, too, about the actual  
18 project delivery piece.

19 ERICA BONHOMME: So table 5.4 of the DAR includes the proposed  
11:05AM 20 primary material sources, and table 5.5 includes the alternate or  
21 optional material sources. And throughout, I think, the GNWT has been  
22 pretty transparent in the DAR that the -- through the ongoing evaluation  
23 of those proposed quarry and borrow sources that if there -- for some  
24 reason the primary material source is not able to be developed for any,  
11:05AM 25 you know, for one of those reasons, that it would pivot to one of a  
26 suitable alternate source to propose instead. And so if that applies to  
27 the Mount Gaudet quarry, the GNWT would be interested in engaging

1 with PKFN on what of a suitable alternate would be appropriate to  
2 propose going forward.

11:06AM 3 JANE HENDERSON: Jane Henderson for PKFN. Thanks, Erica and  
4 Seth. Seth, I'll be frank. I don't understand when you say to make sure  
5 the gap is still now assessed, it's now part of the scope. I just don't get  
6 what that means.

7 And my question to you, Erica, does Mount Gaudet, is it  
8 considered a primary material source or an option or alternate source?  
9 And I understand you're saying that either can be removed. I'm just  
11:06AM 10 curious where it's considered right now. That was a double-barrelled  
11 question.

12 ERICA BONHOMME: Well, I probably have the easier one. Erica  
13 Bonhomme. It is identified as a primary material source currently.

14 SETH BOHNET: Seth Bohnet, GNWT. Again specific to -- and I  
11:06AM 15 apologize, my characterization is a little bit off.

16 So that section of the proposed Mackenzie Valley Highway  
17 between Wrigley and what would have been Mount Gaudet, again, was  
18 originally proposed to advance outside of this environmental  
19 assessment through its own regulatory process. Now, with the  
11:07AM 20 cancellation of that project as a standalone project, we do want to make  
21 sure that that 14 to 16 kilometre section does get included in the  
22 assessment for the entirety of the project. So through this  
23 environmental assessment, we have captured the need to explore  
24 impacts on that portion of the highway as well.

11:07AM 25 JANE HENDERSON: Jane Henderson for PKFN. Thank you, Seth.  
26 So just to make sure I am understanding correctly, when you're talking  
27 about "the gap", you're not meaning necessarily of that borrow source

1 site, but the gap of the highway that would exist if that borrow site is not  
2 used.

3 SETH BOHNET: Seth Bohnet, GNWT. That's correct, yes.

4 JANE HENDERSON: Thank you. I will need to confer with PKFN, but  
11:08AM 5 based on all of the communications and engagements to date, I think  
6 that PKFN has been pretty transparent that that borrow source site  
7 should be taken off of your list and it -- I know that it's part of the  
8 proposed upcoming geotechnical work and I think PKFN has been  
9 pretty frank about that, that that borrow source should no longer be  
11:08AM 10 considered one of your primary material sources.

11 CLÉMENTINE BOUCHE: Thanks, Jane. Can I ask how many more  
12 questions do you have?

13 JANE HENDERSON: We have a number of questions moving on to  
14 other aspects of cultural and traditional harvesting. So if you want to  
11:08AM 15 switch to other people, it's [inaudible] Thank you.

16 CLÉMENTINE BOUCHE: Great. We might let other parties ask a few  
17 questions and then we will come back to you.

18 Fred from Tulita Renewable Resources Council, do you want to  
19 go ahead.

11:08AM 20 FREDERICK ANDREW, JR: Hello, náhkale. My name is -- can you hear  
21 me good?

22 My name is Frederick Andrew. I'm with Tulita Renewable  
23 Resources Council . I had a question to GNWT over here regarding  
24 impact on culture, traditional land -- land use, harvesting. I'll just go  
11:09AM 25 back in time, back in time, when there's no doctor or anything. So as  
26 Dene, we rely on our medicine on the land and medicine man. But now  
27 things change. We have a health centre, hospital, and all that. So the

1 reason I say this is because I was raised on the land most of the time  
2 before I went to residential school, and I was raised by my granny and  
3 he taught me lot of medicine plants on the land, and so it's very  
4 important to me to do with the heart condition. There's three -- let me  
11:10AM 5 see, there's -- two different kind of plant use for heart condition. One for  
6 [inaudible] worm and one for the -- I just got to mention it to you. And  
7 one for diabetic. And when I travel on the winter road, I seen -- I  
8 recognize some of the -- some of these plants that's really important to  
9 Dene people along the winter road. Sometime I went down to  
11:10AM 10 junction -- junction on the road, I've seen some. And sometime I go  
11 past that close to friend Rose's cabin. . And I see some of this, that  
12 plants that is really important to us, is a medicine plant, especially I  
13 seen lots of the one with a heart condition plant, there's three of them  
14 there. And the tea water and the secret diabetic. All these are very,  
11:11AM 15 very important to Dene people that was passed on down by my granny.  
16 Because back in early days, mom was always sick all the time. So he  
17 was spending lot of time in the Charles Camsell Hospital. Some of the  
18 patient didn't come back. But mom was lucky enough to come back.  
19 So all this time, sometimes mom would be gone for, like, six, seven  
11:11AM 20 years like that. So I was raised by my granny, and I was taught all this  
21 traditional medicine plant. I know more than that. But I just wanted to  
22 just mention this because just want to know if GNWT do a study along  
23 the corridor of Mackenzie Valley pipeline because it's so important to us  
24 because don't know where this is, ask people in Tulita, maybe ask me,  
11:12AM 25 and I'll show you, because it's very important to us. Yeah, I just wanted  
26 to bring that up. Mahsi.  
27 CLÉMENTINE BOUCHE: Thank you. GNWT.

11:13AM

1 ERICA BONHOMME: I know there wasn't a question there -- Erica  
2 Bonhomme -- but I did want to just comment, if it's useful to other  
3 parties, that the GNWT has committed to offering opportunities to  
4 harvest traditional use plants from the footprint of the right of way prior  
5 to clearing.

11:14AM

6 CLÉMENTINE BOUCHE: Do you want to follow up, Fred? Did you want  
7 to follow up to that answer?

8 FREDERICK ANDREW, JR: Yeah, I just wanted to follow up on that before  
9 the major take place because I think that it's very important to Dene  
10 people that we need to [inaudible] before the highway go through.  
11 Mahsi.

11:14AM

12 SETH BOHNET: Seth Bohnet, GNWT. I would also just add in  
13 response to the comment -- first of all, thanks, thanks, Fred, for your  
14 comments -- that we have been funding traditional land and resource  
15 use studies in communities to gather that specific type of information  
16 and incorporate into the project.

11:14AM

17 MARK CLIFFE-PHILLIPS: It's Mark Cliffe-Phillips with the Review Board.  
18 Thanks for the responses, Erica and Seth. Just this is for clarification,  
19 for myself; I maybe misunderstood. Erica, you were saying that there  
20 would be opportunities to harvest traditional plants prior to the clearing  
21 of the right of way; is that what you're describing?

11:15AM

22 ERICA BONHOMME: Yeah, if there is a -- Erica Bonhomme. If there  
23 is a concern about losing access to resources that, you know, can't  
24 otherwise be avoided, then yes, the opportunity would be provided for  
25 Indigenous organizations to recover those resources before the clearing  
26 happens. If there's opportunity to, you know, avoid certain areas, that's  
27 part of that optimization of the route that will happen. But if those can't

11:15AM

1 be avoided, we certainly want to offer the opportunity for some of those  
2 medicines. And there is a list in table 11.9 of the culturally -- no, those  
3 are fish. Anyway, somewhere in chapter 11 is a list of culturally  
4 important plant species, and those ones would be the kind of examples  
5 that maybe organizations are interested in harvesting before the  
6 construction happens.

11:16AM

7 MARK CLIFFE-PHILLIPS: Thanks for that clarification. That seems to be  
8 like a single-use opportunity if the optimization is not available. Is there  
9 any programming that ENR or somebody -- or ECC is able to support  
10 for either transplanting or ability to relocate any of those plants to  
11 another area, so harvesting could continue for longer than the one-off  
12 harvest.

11:16AM

13 ERICA BONHOMME: Erica Bonhomme. I'm not a plant person, but  
14 unless those communities are rare, there is an opportunity to -- those  
15 communities will continue to exist in other places. So I think what you're  
16 speaking of is if there was anything that was, you know, an uncommon  
17 plant community that couldn't be otherwise mitigated, that could  
18 probably be considered but we're not aware of any of those.

11:17AM

19 MARK CLIFFE-PHILLIPS: Thanks for your response. Maybe I just to  
20 continue that dialogue with the communities who might know more. I  
21 think the ability to harvest and the locations of that -- the harvesting and  
22 the knowing where those locations are will be changed by this project,  
23 potentially. So any way that you could work to try and mitigate that  
24 going forward so that there's maintaining the abundance and the  
25 availability that exists prior to construction would be preferable.

11:17AM

26 ERICA BONHOMME: Erica Bonhomme. Just to be clear, the DAR  
27 does predict that there will be long-term loss of vegetation in the right of

11:18AM

1 way, and that's not likely to be mitigable. That is part of the effects  
2 assessment. And that is not something that GNWT has proposed to,  
3 you know, mitigate for specifically. But if there are things that come up  
4 in our engagement between now and construction, that will all be -- you  
5 know, carefully considered.

6 CLÉMENTINE BOUCHE: Thank you, Erica. I think Dieter has a follow-up  
7 on that and then we will go to Kanda from the GTC.

11:18AM

8 DIETER CAZON: Dieter Cazon, Łíídlı́ Kúé First Nation. Just a  
9 quick follow up on Fred's -- yeah, Fred did have a question. He asked if  
10 there's going to be studies with regards to the plants and what have you  
11 that is going to be there, and I would expect the communities would be  
12 appreciable if there was a study done because if there is plants that are  
13 going to be there and displaced, they may not know where there are  
14 other plants and if these plants are being depended on for traditional  
15 practices, now to displace that, what they could be using traditionally,  
16 would be pretty offsetting for the community, and the communities may  
17 not have the capacity to find more of these plants if these plants are not  
18 in abundance. Thank you.

11:19AM

19 CLÉMENTINE BOUCHE: Thank you, Dieter. Fred, did you want to add  
20 anything to that?

11:19AM

21 FREDERICK ANDREW, JR: Yeah. I think GNWT really seriously -- I know  
22 really seriously think about this what I just brought up because it's  
23 lifesaving to us too, Dene people. If we could be anywhere on the land  
24 and it might come in handy for us. So it's either relocated or just trying  
25 to reword, but I just wanted to mention that.

11:20AM

26 CLÉMENTINE BOUCHE: Thanks. GNWT, did you want to answer Dieter  
27 and Fred's question?



11:20AM

1 ERICA BONHOMME: Yeah, Erica Bonhomme. The GNWT will do  
2 reconstruction, rare plants surveys, and bring -- you know, have  
3 community members participate in that. I think part of that is first  
4 narrowing down the area of the alignment and that is not, you know,  
5 where we're at just yet. So as the design progresses and we have a  
6 more defined footprint for the project, we can certainly incorporate --  
7 there may be already existing programs, you know, that have  
8 community interest or have a similar theme that we can leverage to  
9 make those reconstruction surveys as meaningful as possible.

11:21AM

10 CLÉMENTINE BOUCHE: Thank you, Erica. I think now we might change  
11 topic and go to Kanda for the question.

12 KANDA KOLA GNAMA: Thank you. I am Kanda Kola Gnama working  
13 for the Gwich'in Tribal Council.

11:21AM

14 The GNWT has committed to discuss monitoring opportunities  
15 with the Indigenous guardian programs and affected government. They  
16 have also committed to work with other Indigenous government to  
17 provide opportunities for local involvement in project-specific  
18 monitoring. GTC should be part of these monitoring programs because  
19 the Nation has valuable experience and know how from the ITH Project  
20 and stands to be affected by project-related effects.

11:22AM

21 So my question to the GNWT is that will GNWT update the  
22 Indigenous and environmental monitoring commitment to include  
23 engagement and participation of GTC and Gwich'in participants?

11:22AM

24 SETH BOHNET: Seth Bohnet, GNWT. Thank you for that  
25 question. We're going to consider that one, and we'll come back to you  
26 with a response.

27 KANDA KOLA GNAMA: Kanda Kola Gnama. Thank you. I don't have

1 any more questions.

2 CLÉMENTINE BOUCHE: Thank you, Kanda. Next we'll go to Lisa

3 McDonald online, I believe.

4 LISA McDONALD: Good morning, everyone. Lisa McDonald,

11:23AM 5 Norman Wells Renewal Resource Council.

6 I just wanted to reiterate what Fred Andrew was speaking about

7 in regards to medicine and the response from GNWT about people

8 being able to go and harvest before work begins. I guess in the real

9 world, that is not how it works. There is certain medicines that we use

11:23AM 10 and they're collected at different times of the year, not all in one place,

11 and I could tell you as of now, with the extension of the road from

12 Norman Wells to Canyon and now Prohibition, that nobody will be smart

13 enough to be picking anything off the sides of the road due to the dust

14 and other things that -- would be unhealthy, you know, for people to

11:24AM 15 consume, never mind picking the plants.

16 There were a couple of issues that I don't think people really

17 understand. I'm for the highway. You know, I live in Norman Wells. I've

18 seen the effects of industry, of tourism, you know. We deal with a lot.

19 We actually are having two environmental assessments in our small

11:24AM 20 community go on. And people talk about -- you know, I know that we

21 had done a study with the GNWT, and I find it really hard to have hope

22 sometimes that things will change. And by that, I mean the Aboriginal

23 people, my people, that they would be directly involved in all aspects of

24 the project and not be dictated, you know, from people that do not live

11:25AM 25 there. By that I mean, I grew up dealing with Imperial Oil, so I know

26 how that is. It's still like that to this day, and it is still very

27 uncomfortable, you know. We get bottom of the barrel, so to speak,

11:26AM 1 you know, very minimum, you know, at best, and I'm sure you guys  
2 followed the process with Imperial Oil and, you know, even with the  
3 GNWT with their hand in, if anybody sees, you know, what we're paying  
4 for gas prices right now, you know, for food prices, and everything, so  
5 it's very hard for me to find hope in believing that the GNWT is going to  
6 step up to the plate. It is actually really frustrating, and I have some  
7 younger people that are on my council that are [inaudible] in this, and I  
8 encourage them to speak up. You know, we got to leave this -- I don't  
9 know what we're going to be leaving behind for my grandchildren, but  
11:26AM 10 sometimes the fight doesn't even seem worth it because once it gets on  
11 paper and things start, you know, Aboriginal people never seem to  
12 make headway. And it's always over the same things; you know, the  
13 things that we love, the things that we use; you know, that are vital and  
14 important in our life. And that's not to say that it's not important to  
11:27AM 15 people that work for the GNWT or anything, but there's just so many  
16 policies and guidelines that you -- that the GNWT is guided by, and  
17 similarly you look at it, and people, you know [inaudible] we've lived the  
18 same lives just in different scenarios, you know, so there's no trust I  
19 don't believe. Like, if you look at these environmental assessments  
11:27AM 20 right now and you think of the GNWT and you take Imperial Oil  
21 Resources, and that's totally from Norman Wells, really, what are we  
22 going to have?

23 I live in one of the most beautiful places in the NWT but actually  
24 taking a look at it the last couple of years, I think we're one of the most  
11:28AM 25 contaminated, you know. You look at the Canol Trail. I've worked on  
26 the proposed Mackenzie [inaudible] years.

27 CLÉMENTINE BOUCHE: Sorry, Lisa. You're cutting on and off. Can you

1 repeat what you just said.

2 LISA McDONALD: You know, different routes and work on every  
3 creek -- I said I've worked on every creek and river from Hana, Hana  
4 River (ph) to Good Hope to Wrigley. You know, I've been involved  
5 environmental field for over 20 years and I've have worked on a lot of  
6 projects with the federal government, as well as GNWT. So living in  
7 Norman Wells also for, like our traditional and cultural, we usually have  
8 to fly out for that; you know, it's not really expressed in Norman Wells,  
9 our traditions, I guess you could say, let alone because of town bylaws  
10 and whatever else we are to deal with. So you add everything onto the  
11 plate, and it just become -- it's just really distrustful, you know. I'm -- I  
12 was never with for the highway. I am now due to the rising cost of  
13 living. It's near impossible to live in Norman Wells now.

14 I just really hope the government takes into consideration what  
15 the people have to go through. You know, I've seen the expansion in  
16 the '80s. I've seen it when the pipeline went through; the aboriginal  
17 people did not get anything. I've seen it when the fiber optic line went.  
18 And, again, you know, the people got peanuts. We really didn't get  
19 anything. And the speed of that project going through was amazing.

20 I just hope that, you know, when you guys are talking about  
21 traditional and cultural, I hate to say it, but we're one of the very few  
22 communities in the Sahtu region, I guess, that have to fight really hard  
23 or make a really hard effort to practice our culture and to practice our  
24 traditions. We're a transient work town, you know, an oil and gas town,  
25 and that doesn't always align with the needs and wants of the higher  
26 ups in Norman Wells. So when you're about, you know, you're going to  
27 allow us to go and pick a road before, you know, they're mowed over, I

1 think is -- is disrespectful because there's a lot more that comes into  
2 play than just picking them. There's the times of the year, the plants,  
3 variety of them, and stuff, you know. So it's -- and from the dust control  
4 that I've seen go on from the two extensions now, our -- I would not  
11:31AM 5 advise anyone to pick them.

6 Just one quick other thing I just wanted to mention, too. I know  
7 that when you guys -- the GNWT, they did the first section from Norman  
8 Wells to Canyon Creek, they had a grading program. I think the  
9 government would be very wise to look at other opportunities such as  
11:31AM 10 that or with the contractor to have those opportunities for younger  
11 people. I know of some people that took that training course that are off  
12 in the world doing better and have steady jobs because of that training  
13 that came out of that first segment of the road, but not only working, you  
14 know, on a highway. I think what needs to happen time some time is  
11:32AM 15 that, you know, tables need to turn as to where we're not being told  
16 what we have to -- or what we need to do or have to do in order to gain  
17 work, but for people that are coming into our communities and  
18 suggesting change that they actually come and spend time with the  
19 people, and I would suggest out on the land. You know, taken away  
11:32AM 20 from everything that they know for one week, you know, and go just to  
21 experience it. I believe that's the only way that some people's eyes  
22 would be opened because everything that we've been through in  
23 Norman Wells, it's still the same song and dance. You know, from no  
24 barges, you know, now to no water. You know, how many outfitters we  
11:33AM 25 have to deal with, I think there's like 7 [inaudible].

26 CLÉMENTINE BOUCHE: Lisa. Sorry, you just cut --

27 LISA McDONALD: -- never mind the forest fires and changes.

11:34AM 1 CLÉMENTINE BOUCHE: Sorry, Lisa, do you mind repeating the last --

2 LISA McDONALD: I just said that it's just really hard living, you

3 know, with everything that we have had to deal with in Norman Wells,

4 never mind the Sahtu, from the outfitters, to tourism, to the highway,

5 barging system, significant discovery licences, we've got Imperial Oil,

6 we've got the canal trail, you know, Tulita, Délı̨ne, you know. All

7 contaminants that we have lived with and still are living with and we're

8 bringing in more work, so I just really hope everybody does their

9 homework and, you know, try to do the best that we can to see and

11:34AM 10 understand how the Aboriginal people, you know, why people have

11 been fighting for years just for the basics. Mahsi.

12 CLÉMENTINE BOUCHE: Thank you, Lisa. GNWT, would you like to

13 respond to Lisa's comments?

14 SETH BOHNET: Seth Bohnet, GNWT. I appreciate all of the

11:35AM 15 comments that have been provided, and, again, it's information that we

16 have been hearing through engagements in the past, and we are doing

17 our best to make sure that those concerns are reflected in the

18 mitigations that we're proposing for the project.

19 CLÉMENTINE BOUCHE: Thank you, Seth. Now I will go to John Nishi

11:35AM 20 from the Review Board.

21 JOHN NISHI: Thank you. John Nishi for the Review Board.

22 Good morning. I just have a quick preamble and then some questions

23 for GNWT and for some of the IGOs that are represented here today on

24 a few themes. The themes are population, harvest monitoring, food

11:35AM 25 security, and moose and caribou harvesting.

26 So one of the things we've seen is that over the long-term, new

27 all-season roads fundamentally and often irreversibly change people's

1 land use patterns, and in particular, it changes wildlife harvesting  
2 access and hunting practices. In short, your great grand kids and their  
3 families will likely be hunting and accessing the land differently than you  
4 are today.

11:36AM 5 One of the key challenges or one of the key changes over the  
6 long term is that there's an incremental and cumulative increase in  
7 access and extent of areas that may be hunted more efficiently. For  
8 example, new cabins and new trails are often established along a new  
9 all-season road, and the increased access pertains to local  
10 communities and potentially to people outside the local area. Over the  
11 short term, you might see an increase in access, which may result in an  
12 increase in harvest, which has benefits such as increased access to  
13 country foods like moose and caribou. But to persist and be healthy  
14 over the long term, hunted populations such as moose and caribou  
15 need to adjust to an increase in levels of harvest and other sources of  
16 mortality that are associated with activity on the road such wildlife traffic  
17 collisions. To be sustainable, hunted populations respond or  
18 compensate to increased mortality rates through higher birth rates,  
19 better survival or recruitment of younger animals, and/or immigration of  
20 animals from other areas.

11:37AM 21 So the first questions I have with respect to population and  
22 harvest monitoring are directed to GNWT.

23 The first question is what specific population and health harvest  
24 caters are caribou and moose will be monitored through the WMMP,  
11:38AM 25 and I'm thinking about frequency and scale of the monitoring. And how  
26 will this data be used to assess whether total harvest of boreal caribou  
27 and moose may be becoming unsustainable? Thank you.

11:38AM

1 SETH BOHNET: Seth Bohnet, GNWT. Apologies. We're just  
2 checking to make sure we have somebody available to respond to that.  
3 I'm not sure if they're online or not. In the interest of time, we'll come  
4 back to you on that one. I apologize.

5 CLÉMENTINE BOUCHE: Thank you, is Seth. John, do you want to ask  
6 another question to the GNWT, or do you want to wait until they have  
7 their expert? Go ahead.

11:39AM

8 JOHN NISHI: John Nishi for the Review Board. I guess a bit  
9 of a follow-up question which -- or in combination with the first question,  
10 with respect to harvest sustainability, has the Government of the  
11 Northwest Territories conducted a power analysis of its proposed  
12 program of caribou collaring and composition surveys and the periodic  
13 moose aerial surveys that have been outlined in the DAR? And  
14 specifically I'm interested in what rate of decline in boreal caribou and  
15 moose would the proposed survey and monitoring be able to detect  
16 over 5 and 10 years respectively? Thank you.

11:39AM

17 SETH BOHNET: Seth Bohnet, GNWT. I do apologize, John. We  
18 don't have our subject matter expert on the line right now, but we will  
19 endeavor to get them here, since we can't --

11:40AM

20 CLÉMENTINE BOUCHE: Thanks, Seth. May I suggest that we break for  
21 lunch. GNWT, would you be able to bring back your expert after lunch?  
22 Hopefully? Great. Then we'll break from 11:45 to 12:45. Thank you.

23 - NOON ADJOURNMENT -

12:47PM

24 ALAN EHRLICH: We're going to go back to John Nishi from the  
25 Review Board.  
26 When we last left at lunch, the GNWT had two questions that  
27 had been asked that you weren't able to answer because you didn't



	1	have the right people here. And at lunch time you had the opportunity to
	2	get the right people here, and so are you guys able to answer those two
	3	questions?
12:48PM	4	SETH BOHNET: Seth at GNWT. Yes, I believe we have got the
	5	people in the room and/or online already. So maybe if you could just
	6	repeat your first question, please.
	7	ALAN EHRLICH: Thanks. John.
	8	JOHN NISHI: Thank you. John Nishi for the Review Board.
12:48PM	9	So the first question was what specific population health and harvest
	10	indicators of caribou and moose will be monitored through the WMMP
	11	and what I was thinking there was sort of the frequency and scale of
	12	monitoring, and how will those data be used to asses whether total
	13	harvests of boreal caribou and moose may be becoming unsustainable.
	14	ALAN EHRLICH: Thanks. GNWT, or Mike.
12:48PM	15	SETH BOHNET: Seth Bohnet, GNWT. Yes, I believe Mike's
	16	online. Mike, are you there?
	17	MIKE SETTERINGTON: Yes, again this is Mike Setterington from
	18	Environmental Dynamics. Hopefully I'm not coming through broken up.
	19	ALAN EHRLICH: You sound great.
12:49PM	20	MIKE SETTERINGTON: Thank you very much. John, your question was
	21	specifics on what -- on what the GNWT will be monitoring for health,
	22	and indicators of demographics -- sorry, just give me the two things
	23	you're asking for again. I just wanted to be sure.
	24	JOHN NISHI: Hi, Mike, it's John Nishi for the Review Board.
12:49PM	25	It's population health and harvest indicators. Over.
	26	ALAN EHRLICH: John, we're just -- we're just amplifying your
	27	microphone a little better. Do you want to try again, and just get right

1 close to that.

2 JOHN NISHI: John Nishi for the Review Board. Hi Mike. The

3 two items were the specific population health and harvest indicators of

4 caribou and moose. Thank you

12:49PM 5 MIKE SETTERINGTON: Roger. Yeah, no, I could hear you fine. I just

6 wanted to catch the -- Mike Setterington, Environmental Dynamics. So

7 health and harvest indicators.

8 So those aren't specifically identified in our wildlife and mitigation

9 monitoring plan for the GNWT. We did have specific responses as best

12:50PM 10 was we could provide in MVEIRB -- response to MVEIRB questions

11 number 37, 38, and 39. I presume you're familiar with those responses,

12 and you did not find the indicators in those responses either? Or was

13 there something specific -- I'm looking specifically, perhaps at MVEIRB

14 39, about harvest levels -- well no, that's harvest levels.

12:51PM 15 We're looking at cow/bull ratios, cow/calf ratios, typical

16 demographics that are monitored for caribou and moose populations.

17 ALAN EHRLICH: John.

18 JOHN NISHI: Right. So it's John Nishi for the Review Board.

19 Thanks, Mike. I was really trying to get an understanding of the

12:51PM 20 intended frequency and scale of the monitoring. And it also ties in with

21 the question -- the second question that I asked before lunch as well,

22 which was with respect to harvest sustainability, has the GNWT

23 conducted a power analysis of its proposed program of caribou collars

24 and composition surveys and the periodic routes aerial surveys that it

12:51PM 25 mentions in reference to the WMMP.

26 ALAN EHRLICH: Mike.

27 MIKE SETTERINGTON: It's Mike with Environmental Dynamics. Those

1 are questions I'll have to confer with James Hodson to get those kind of  
2 specific answers. About the power analysis on collars, it's a valid  
3 question. And the frequency of the surveys, which part of that question  
4 came up during the caribou discussions a few days ago.

12:52PM 5 ALAN EHRLICH: GNWT.

6 HEATHER SAYINE-CRAWFORD: Heather Sayine-Crawford with GNWT  
7 Environment and Climate Change. So, John, your specific questions,  
8 have we done power analyses on moose surveys and detecting trends  
9 for moose? No. We, and in terms of how often we will do moose  
10 surveys along this route, we just completed one -- sorry, I should have  
11 had that in front of me. In 2020 and 2021. And so that was the first  
12 moose survey done in the Sahtu in quite a long time. And we are  
13 looking to repeat that type of survey regularly, four to five years, give or  
14 take, and depending on community consultation and budgetary  
15 restraints.

12:53PM 16 For boreal caribou, the power analysis that we have done is that  
17 basically we need at least 20 collars on female boreal caribou to give us  
18 an idea of survival.

19 ALAN EHRLICH: John.

12:53PM 20 JOHN NISHI: John Nishi for the Review Board. Thank you,  
21 Heather and Mike for those responses; I appreciate that. You know,  
22 and really it's kind of -- the context of the question is really to have a  
23 good understanding of the ability of the monitoring to sort of provide  
24 insight as to what's happening with the populations and whether they  
25 are actually declining. And the challenge -- and it's not a criticism, it's a  
26 recognition that there's a challenge of surveys when populations are  
27 declining over, you know, a 5, 10-year periods at, you know, relatively

12:54PM

1 low rates and often these sorts of things are not detectable until there is  
2 a problem. And I just wanted to highlight that in this line of questioning.  
3 So I appreciate the answer. Or the responses.

4 And I guess I was hoping to ask, you know, just in addition to the  
12:55PM 5 rate of decline, what rate of decline that the survey monitoring methods  
6 would be able to detect, just a bit more along the lines of would you be  
7 able to share those analyses as you go forward in developing the  
8 WMMP. Thank you.

9 HEATHER SAYINE-CRAWFORD: Maybe I'll speak generally to I think  
12:55PM 10 what your question is getting at. So I don't think that there's a specific  
11 rate of decline or a specific threshold that we would be looking for when  
12 assessing any sort of population across the NWT. What would happen,  
13 I heard this morning talk from Alan about basing this in reality. In  
14 reality, what we would do is if we had information coming from  
12:56PM 15 communities, along with scientific information that was showing that  
16 there is declines, that we would go back to the communities and talk  
17 about what to do next. So similar to what we have done for other  
18 wildlife populations across the NWT, go back to communities and talk  
19 about what to do next.

20 In terms of the WMMP, I'm sure that INF would be happy to talk  
12:56PM 21 to folks about analysis moving forward and any sort of discussions  
22 about that -- the harvest thresholds.

23 ALAN EHRLICH: Thanks. John.

24 JOHN NISHI: Thank you, Alan. Thank you, Heather. John  
12:56PM 25 Nishi for the Review Board.

26 Just a bit of follow-up on this line of questioning. And the  
27 question is, I guess back to the GNWT, it's what other data will be

1 monitored to make sense and explain the likely factors that are driving  
2 or affecting the main changes in caribou and moose population health,  
3 distribution, or abundance. What I mean is, what I'm trying to  
4 understand, is will there be specific monitoring of environmental  
12:57PM 5 co-variants like winter severity, drought. But also, probably more  
6 importantly, is -- or as important is daily traffic volumes, actual activity  
7 that's associated with the road. Harvest would be another. But to be  
8 able to really understand, in addition to the monitoring of the  
9 populations that's happening and if they're changing their distribution or  
12:57PM 10 abundance, what's actually contributing to that. And without having,  
11 say, information on daily traffic volumes, it could be difficult to make any  
12 conclusions or inferences on how the road is actually influencing  
13 animals. Thank you.

14 ALAN EHRLICH: Thanks. Any response from the GNWT on  
12:58PM 15 that?

16 ERICA BONHOMME: Erica Bonhomme. In respect of monitoring  
17 traffic, yes, the GNWT will continue to operate its traffic counters and  
18 install new ones where needed along the all-season road.

19 ALAN EHRLICH: Thanks. John, back to you, John.

12:58PM 20 JOHN NISHI: Thank you. John Nishi for the Review Board.  
21 The next couple questions are along the theme of food security. I just  
22 want to acknowledge that Heather Klein, before she left, kind of  
23 highlighted these two questions for me.

24 The first one is has the GNWT done a baseline food study to  
12:59PM 25 identify the extent that country foods contribute to food security to  
26 communities that are affected by the proposed Mackenzie Valley  
27 Highway Project. So what sort of species -- what's the distribution of

	1	country food in these communities? Is there a baseline that the GNWT
	2	has to be able to compare future country food use? Thank you.
	3	ALAN EHRLICH: Thanks. GNWT.
12:59PM	4	SETH BOHNET: Sorry, I'm just reading my note here. Give me
	5	one moment, please.
	6	ALAN EHRLICH: Okay. And I think that was in reference to Heidi
	7	Klein's discussion earlier.
	8	SETH BOHNET: Seth Bohnet, GNWT. I'm going to apologize in
	9	advance. Our consultants that helped us formulate these pieces on
01:00PM	10	food security are currently unavailable. We have got one of them but
	11	the one that was unfortunately dialling virtually has had a medical
	12	problem and our individual is not here at the moment. So I will commit
	13	to take this away and provide a response.
	14	ALAN EHRLICH: Thanks. Could you commit to provide the
01:00PM	15	response for the public record, say, within the two weeks following the
	16	technical sessions?
	17	SETH BOHNET: We will get you a response in that timeframe,
	18	yeah.
	19	ALAN EHRLICH: Thank you. John.
01:01PM	20	JOHN NISHI: Just maybe a bit of a follow-up, Seth, to that
	21	question. Kind of a secondary question and that would be will the
	22	GNWT conduct a household harvester or traditional food study to
	23	evaluate the importance of country food use in these communities and
	24	to assess whether food security will meaningfully improve over the long
01:01PM	25	term?
	26	SETH BOHNET: Thanks for the question. We'll take that back
	27	and respond to you again. I do apologize, sorry.

	1	ALAN EHRLICH:	Same timeframe, Seth?
	2	SETH BOHNET:	Yes, thanks.
	3	ALAN EHRLICH:	Thank you. And back to you, John.
	4	JOHN NISHI:	Thank you, Alan. John Nishi for the Review
01:02PM	5		Board. So I was going to maybe invite a bit of conversation through a
	6		line of questioning around moose and caribou harvesting with the
	7		Indigenous governments and the renewable resource council
	8		representatives. I recognize that there is sensitivities around discussing
	9		specific areas of the Denendeh, the land, but I would kind of like to,
01:02PM	10		respectfully, ask the Pehdzeh Ki First Nation about moose pastures,
	11		because this is something that is mentioned and it seems to be of
	12		significant -- or it seems very important. And so the question I was
	13		hoping to get some insight on from PKFN would be whether they would
	14		be able to describe the characteristics of moose pastures; what are
01:02PM	15		they; where are they; how important are they for moose harvesters; and
	16		then as part of that, do you have any specific concerns of how the
	17		proposed highway will affect moose pastures and moose harvesting
	18		access. And maybe a third part -- and I can repeat these again but it's
	19		just trying to kind of get some perspective. But the other part of that
01:03PM	20		question, or the third part of that question is, what are some
	21		recommendations you might have that would address or mitigate those
	22		concerns around harvesting and moose pastures. Thank you, and
	23		mahsi.
	24	ALAN EHRLICH:	Thanks. And we'll give PKFN a moment just to
01:03PM	25		get sorted.
	26	CHIEF JAMIE MOSES:	Good afternoon, there. So basically we're just
	27		responding to John -- is it John? Oh sorry, Jamie Moses, Pehdzeh Ki

01:04PM

1 First Nation. Yeah, anyway, so the first part of your question there, is to  
2 us the moose pastures are in the low wetlands with lots of willows. And  
3 we have one right by Mount Gaudet. And we have one right by Mount  
4 Gaudet. We call Mount Gaudet [Indigenous language spoken]. It's a  
5 spiritual mountain for us. It basically translates to rock in the water, and  
6 that's what you see on the Mackenzie side there; it's the rock that goes  
7 right into the water. But right behind it, is there's lots of little lakes and  
8 it's willowy and grassy, and that's what the moose like. So we have a  
9 lot of that going down the Mackenzie River, because where the current  
10 winter road runs, it's low and lots of water. And moose like that, so. So  
11 to us, that's what prime moose habitat looks like. It's the willowy,  
12 grassy, watery areas. So that's some of the characteristics there.

01:04PM

01:05PM

13 And I think what the second part is the impacts that it will have on  
14 them there. I think if you put a road right through it there, it will  
15 obviously, you know, split their habitat right in half and they'll have to -- I  
16 think they'll just have to go elsewhere, or the hunting pressure on them  
17 will increase. You'll have easier access to them 24/7. Right now we go  
18 through them, what, three months. But 24 -- if we have an all-season  
19 road, then it will definitely -- all the traffic and it will be a definite  
20 destruction to them. So I see them, you know, moving or else just  
21 being shot, right. So that's another one of the things there.

01:05PM

01:05PM

22 And I don't know, in terms of recommendation, you know, just try  
23 to avoid it, right. I think they -- yeah, well, that's our main  
24 recommendation, is rerouting, is going a little bit higher. You can --  
25 because it's -- like I said, it's just down there by the river. So if you go  
26 up a little bit higher, you avoid those low wetlands that the moose like  
27 and the duck and geese also, like that -- the waterfowl like that. So



1           that's our -- that's a simple solution for us, is just go a little bit higher  
2           and just go around it there.

3           Yeah, that's really kind of about it. Hopefully that helps you a  
4           little bit there.

01:06PM 5           ALAN EHRLICH:           Thank you very much, Chief Moses. Back to  
6           you, John.

7           JOHN NISHI:           I'm John Nishi for the Review Board. Thank  
8           you, Chief Moses. That's very helpful. I think I understood well what  
9           you -- what you're talking about when you say "moose pastures".

01:06PM 10           I guess I was hoping to maybe reach out to -- or request  
11           perspective from other First Nation representatives or renewable  
12           resource council representatives. I know Frederick Andrew talked  
13           earlier. But I was wondering if you folks would be able to talk and share  
14           your perspectives from your own community or traditional knowledge  
01:07PM 15           sources. I recognize that that's, you know, confidential, and if there  
16           may be some sensitivity around that. But maybe just a follow-up on  
17           whether the concept of this, you know, important -- well, not concept --  
18           the moose habitat, the moose pastures, if they're also a concern for you  
19           or your organizations as it relates to the proposed road and what you  
01:07PM 20           might think about what could be done to address those concerns that  
21           you may have. Thank you.

22           ALAN EHRLICH:           So, thanks. I guess that question was directed  
23           partly to Fred Andrew of Tulita Renewable Resources Council. So  
24           would you care to respond about moose pastures and the potential  
01:08PM 25           impacts related to the road routing and what you think could be done to  
26           try and deal with those impacts.

27           FREDERICK ANDREW, JR: Yeah, my name is Frederick Andrew, Junior.

01:09PM 1 Through the RRC, I hear clearly what Chief Moses said over here. Yes,  
2 from Tulita to -- all the way to Blackwater, it's a really -- have a really  
3 good moose habit. Not only moose habitat, also woodland caribou.  
4 You hardly see them but they're in the -- we call them todzi. They're  
5 also along the Mackenzie Valley corridor too. But what Chief  
6 mentioned, we have done lots, especially around the creeks, like Big  
7 Fish Creek, Little Fish Creek. Little Fish Creek is number one, over  
8 there. We always see that moose under that bridge there. And all -- it's  
9 all the way like that to Norman Wells because of the creeks and the  
01:09PM 10 willows, probably burn but they grow fast, so they're a really good  
11 habitat for moose. Along the way creek is the moose, their habitat is  
12 willow. If there is a lichen -- not much lichen but there is a lichen but it's  
13 all burned but it takes a while. Maybe 40 years or so, they grow again.  
14 That's a favorite habitat for caribou. Todzi, woodland caribou. But there  
01:10PM 15 is still some -- there is -- I know that woodland caribou from all the way,  
16 they hanging in the heavy, heavy trees along -- close to Délı̨nę, on this  
17 side. There was -- there's lots of todzi there too because it's hardly  
18 burned there. But I don't know about -- this summer there was a big fire  
19 over there, so I don't know about that right now. But I know that it is --  
01:10PM 20 you know, there's really good habitat from -- I know for sure that  
21 Blackwater to Tulita, there's a lot of creeks and rivers. And during --  
22 that's where you have to -- it's a really sensitive area for Mackenzie  
23 Valley Project to go through. It just have to be studied really good and  
24 maybe study the whole baseline because -- the reason I say they study  
01:11PM 25 the baseline because we have impact from fire too also, and the climate  
26 change, permafrost, and [inaudible] All this, you know, it's -- you know,  
27 all together so it's very -- it's kind of complicate too. But, yes, we still

01:11PM 1 have a really good. To me, I'll find out by this winter road, when I travel  
2 down there I can tell whether it's, you know, it's still a really good habitat  
3 for moose yet because I say it again because of there those creeks  
4 are -- well, right now, the creeks are pretty well dry. It's -- this summer I  
5 seen it going up to Wrigley for hand game around August, three was jet  
6 boat went to Wrigley and then to Hay River for hand game and I was  
7 watching on the right side going up, there's lots of landslide because of,  
8 you know, permafrost melting. And there's a lot of changes I see in  
9 every major creek that I look at, it's hardly nothing like it used to be.

01:12PM 10 The whole, trickle. Like Slave River, Blackwater River, and -- and across  
11 from Blackwater River is this river called really good -- really good creek  
12 for that, it's called Johnson Creek. [Indigenous language spoken] they  
13 call it. You need to know all your traditional name. And I have that.  
14 And it's so important. But this climate change is really -- is really

01:12PM 15 impact. But like I side, what Chief said is very true. There's a really  
16 good habitat all the way so far from here to Blackwater anyway, I know,  
17 because we have a lot of creeks. We had a lot of willows, like lowland  
18 is good habitat for moose. Caribou, yes, well, it depend where the area  
19 is burned, eh. So yeah, this -- I don't know what else to -- yeah, that's --

01:13PM 20 yeah, okay, that's all I wanted to say. Mahsi.

21 ALAN EHRLICH: Mahsi cho. So Mr. Andrew, would you also  
22 agree that a higher route that was further from the lowland wet areas  
23 would have less of an impact on moose pasture and maybe less impact  
24 on wildlife; thinking about something closer to the route that was  
25 proposed for the pipeline instead of the winter road route.

01:14PM 26 FREDERICK ANDREW, JR: Yeah, I think what Jamie said is right. You  
27 have to go higher for the Mackenzie Valley Highway route because the

01:15PM 1 lower, that's where all the habitat is. And also on the wetland area too,  
2 where that's at. Especially when you -- moose are -- never ever seldom  
3 feed on grass but especially on the willows, eh. Their favorite food is  
4 willows so they're also around the muskeg area too. And I don't wanna  
5 miss -- this is very important things that we're talking about. I don't want  
6 to try and miss on anything, but I think -- yeah. Yeah, okay. Mahsi.

7 ALAN EHRLICH: Mahsi cho. And now I'll ask Łíídlı́ Kúę  
8 First Nation if they want to respond to John's question.

01:15PM 9 DIETER CAZON: Dieter Cazon. I'll try to encapsulate an answer  
10 for you. It's under LKFN's understanding through our partnership and  
11 is collaborations with western science that moose populations are  
12 generally trending down in population numbers. This is exacerbated by  
13 some of challenges through climate change, like the forest fires we had  
14 there over the last couple of years, and the issues with transient  
01:16PM 15 hunters, and the interaction between transient hunters and local  
16 harvesters, be it if they're from other parts of the Northwest Territories.  
17 They don't assert themselves in a way that's conducive to celebration of  
18 traditional harvesting and then sharing through those various aspects.  
19 There's -- we've had issues where our harvesters have had  
01:16PM 20 confrontations with people under the influence of alcohol and drugs.  
21 People have taken over other kills, and these are just people -- we're  
22 just trying to harvest and get our foods, and these are the interactions  
23 we have with these transient hunters, and we get the complaints and  
24 conversations. I know there's even a lot of mention with the GNWT,  
01:17PM 25 like, current programs should be covering a lot of these issues. The  
26 current -- it's not happening. Like, some of the issues would be in  
27 regards to, again, like the safety aspects. There's no wildlife officers.

01:17PM

1               Several years ago, LKFN partnered with then ENR, and we had  
2               a very successful campaign where our LKFN guardians worked with  
3               ENR officers to do a checkpoint program and just engage with people  
4               harvesting. And it was very successful. There was no issues or any  
5               problems with harvesters or what have you. But trying to redo that  
6               program, hard to gain traction post Covid and all those things. That's  
7               one of the issues that we've been having.

01:18PM

8               Other issues we have is they -- the transient hunters leave  
9               messes, garbage, all over the place. Just less than a month ago, two  
10              of our guardians were helping to put out a fire that was left by some  
11              transient hunters on the river side that was, like, actually right around a  
12              cabin. They actually did their little fire line around the cabin and  
13              managed to get that sequestered and put out -- not put out, but just fire  
14              guard it.

01:18PM

15             So these are some of the trials and tribulations that local  
16             harvesters and guardians, people in the smaller communities, have to  
17             deal with when there's an increased demand for affordable healthy food  
18             options.

01:18PM

19             Everybody's aware that we're paying some premium high prices  
20             for food at the store. Dene have traditionally just leaned -- we harvest  
21             moose, caribou, and other species for subsistence, and we've been  
22             leaning hard into it. We understand this metrics through a program that  
23             LKFN delivers where we accept donations of traditional foods, and we  
24             get that food out to members that need and can't afford -- get these  
25             themselves. And people have been leaning really hard into that  
26             program for the last couple of years.

01:19PM

27             So those are some of the issues that we've been having,

01:19PM

1 specifically with the transient hunters, and I said with the forest fires  
2 over the last couple of years there's been a lot more push going north.  
3 There's no benefits for the communities or the businesses in those  
4 communities. They just -- they bring, like, jerry cans and jerry cans of  
5 gas, and they just bypass the communities, set up shop.

01:20PM

6 One of the aspects of concern for LKFN is several years ago a  
7 harvester and myself, Edward Charlo, we participated in a working  
8 group here to talk about moose, and one of the concerns with the  
9 members that participated in that conversation were members from  
10 Sahtu and their concern -- they asked us directly is, like, should we be  
11 concerned if there is a road going north in regards to transient hunters,  
12 and there definitely will be. They'll go into every nook and cranny where  
13 there's a road. Every little borrow source, every gravel pit, they're going  
14 to set up a shop, set up a tent, set up cabins, leave a mess, leave fires,  
15 and they're going to harvest moose as they can. Because it's, like,  
16 readily available food. But it's an issue of concern because, like I said,  
17 the populations are trending down. What does that look like in respect  
18 to climate change? That's hard questions to answer.

01:20PM

01:21PM

19 Right now, LKFN is looking at ideas of ways to engage and to  
20 actually start up, like, a monitoring program to help bolster the work that  
21 was previously done with ENR and to work with the harvesters in the  
22 Deh Cho to see what we can do to manifest and understand these  
23 changing dynamics of climate change in moose population and trends.

01:21PM

24 Other aspects of this is there's going to be a lot more demand on  
25 highway hunting. Everybody knows that the water levels are so low  
26 right now. Fort Providence is trucking in water. Never mind trying to  
27 get on the river with a boat. I've had several friends and colleagues and

01:21PM

1 other guardians and other members from other community just  
2 communicating that, boom, they hit rocks, reefs, rocks that no one's  
3 ever seen before on the river before. You don't know to read for these  
4 things because the water is just so crazy low. So there's going to be an  
5 uptake in demand. We've seen an uptake in demand, the need to do a  
6 little bit more highway because it's hard to navigate the rivers now.

01:22PM

7 I think that -- I think I got most of the issues and concerns. Like,  
8 I haven't expressed to [inaudible] as a manager of lands and resources  
9 from LKFN from harvesters and other community members. There is --  
10 it's hard to say, like -- everyone's freezers are full of moose meat, and  
11 they depend on these as a staple of their traditional -- their diet. Not  
12 even traditional diet, just their diet. So what's this going to look like as it  
13 goes and the -- this whole thing migrates north as the highway gets  
14 built? I don't know what that looks like. But it's definitely things to keep  
15 paying attention to as these things evolve and work starts to happen. I  
16 think that helps with your answer? Okay, thank you.

01:22PM

17 ALAN EHRLICH: Thank you very much for that informative  
18 answer, Dieter. Sahtu Secretariat Incorporated is also indicating. SSI,  
19 are you responding to John's question, or is this something separate?

01:23PM

20 TODD McCAULEY: Yeah, Todd McCauley, Sahtu Secretariat. I just  
21 -- before I respond, I just want to clarify, is this general comments or  
22 just specific to the moose pastures?

01:23PM

23 ALAN EHRLICH: Well, originally, the question had to do with  
24 moose pastures and we heard what PKFN had to say about they're  
25 often the low willow-rich areas and the higher route might avoid that,  
26 and there was concerns about the impacts of following the winter road  
27 route because it's good moose habitat and harvesting area. And we

01:24PM

1 heard Tulita weigh into that too. But it's okay if the subject goes a bit  
2 broader. I mean, I feel like LKFN's points about transient harvesters  
3 are extremely relevant to the impacts of the Mackenzie Valley Highway  
4 on harvesting. It sounds like they have experience that certainly the  
5 board would take under consideration, and I'm sure the developer would  
6 be well advised to take under consideration as well. So I'll get back to  
7 John's question. Be you if it's a slight variation, that's okay.

8 TODD McCAULEY: Yeah, I have got general comments on the  
9 whole project.

01:24PM

10 ALAN EHRLICH: If it's all right, then, I'd like to continue with  
11 John's questions that are specifically relating to moose harvesting and  
12 the habitat. And then we'll get to you in just a couple more questions.  
13 I've got a list, but I just put your name on it.

14 TODD McCAULEY: Perfect. Thank you.

01:24PM

15 ALAN EHRLICH: Thank you. Does anyone else want to respond  
16 to John's question? PKFN.

17 JANE HENDERSON: Jane Henderson for PKFN. Mahsi cho for  
18 speaking to this. Lands director Sharon Pelissey has just suggested a  
19 little more to add to your question. This afternoon, we're speaking in a  
20 general way, but please follow up with more questions if you have them.

01:25PM

21 Sharon asked me to add that along the winter route, PKFN sees  
22 moose travelling up to -- between their different habitats they have in  
23 winter and summer. They see moose travelling along the creeks and  
24 gathering at the outflows where the creeks and rivers meet the Deh  
25 Cho. Of course, that is also where the bridges are which is one of  
26 PKFN's fundamental concerns. And that's -- those are some immediate  
27 comments that Sharon wanted to add.

01:25PM



1                   We also have more mitigation measures suggested in some of  
2                   our questions later. I don't know, it might be easier to leave them like  
3                   that and John can listen there. Does that make sense?

01:25PM   4           ALAN EHRLICH:           Sure.

5           JANE HENDERSON:       Okay. Or we could jump into them now but I  
6           don't know how many questions John asked.

7           ALAN EHRLICH:           Let's finish John's questions. We'll get your --  
8           there's a question from Malorey Nirlungayuk who is an environmental  
9           assessment advisor to the board, and then we'll get your mitigation  
01:26PM   10          [inaudible], and then we'll keep moving through the list.

11                   So John, go ahead, please. John doesn't have more questions,  
12           or do you? He is indicating he is good for now. So Malorey, are you  
13           online? This is...

14          MALOREY NIRLUNGAYUK: Malorey with the Review Board, sorry. Can  
01:26PM   15          you --

16          ALAN EHRLICH:           Please go ahead.

17          MALOREY NIRLUNGAYUK: I do have a follow-up question after John.  
18           The question is for the recipients of the traditional land and resource  
19           use studies. Since the GNWT funded the TLRU studies in preparation  
01:26PM   20          for the DAR, the Review Board would appreciate being able to review  
21           these documents to consider how it was incorporated into the project  
22           planning and the DAR. The Review Board is able to keep these  
23           documents confidential as well.

24                   So our question is more towards the Tulita Renewable  
01:27PM   25          Resources Council, the Norman Wells Renewal Resources Council,  
26           LKFN, and we do recognize that PKFN has answered our IR in the past.  
27           So our question is can you please submit your TRLU or a

1 non-confidential summary of the TRLU to the Review Board.

2 ALAN EHRLICH: Thanks. So, first, you've mentioned that's to the

3 Tulita -- was that the Tulita RRC -- yeah, okay.

4 So starting with the Tulita Renewable Resource Council, would

01:27PM 5 you be okay with submitting your traditional land and resource use study

6 to the Review Board either where we can work out a confidential

7 handling for it, in case there's private traditional knowledge in there that

8 you don't want to share publicly, or a summary of it, if you like, that

9 doesn't contain confidential information. Either one, your traditional

01:28PM 10 lands and resource use study would probably be quite valuable for the

11 board to make a decision about this project. Did you have a question?

12 Sorry Malorey, they're just caucusing about the response.

13 FREDERICK ANDREW, JR: Hello, this is Frederick Andrew again,

14 RRC. Yeah, we do have traditional knowledge and we don't mind to

01:29PM 15 share it with KFC -- I mean, [inaudible] yeah, we do, because we're --

16 we need to share. We need to be together. We're just right next door.

17 So, yeah, we do have that study in that Tulita office, yeah.

18 Sorry about KFC.

19 MARK CLIFFE-PHILLIPS: Just after lunch. Everybody has got food on

01:29PM 20 their mind. Mark from the Mackenzie Valley Review Board.

21 Just as a clarification, I think it's great that groups could share

22 traditional land use studies between each other to confirm or validate

23 some of the information that's in there. Just in terms of our board

24 making decisions on those same considerations within the traditional

01:30PM 25 land use studies, if there is a way that we could receive that to our

26 board, we have ways to keep that confidential and not publicly available.

27 We could enter into an agreement with the RRCs or First Nations who

01:30PM 1 hold that. I know that we're meeting with PKFN on Friday to discuss  
2 getting that information to the board. But if we could maybe follow up  
3 after this meeting with the other groups, just in terms of getting that  
4 information if you're willing to share.

01:30PM 5 The other option is if there is very sensitive information that you  
6 don't want to share, a summary of that information with key points that  
7 you want to bring forward to the board is another method to get that.  
8 But we do, and have in times past, received those information  
9 confidential -- in a confidential manner, and we store that and return all  
01:31PM 10 those materials back to the groups at the end of the EA.

11 FREDERICK ANDREW, JR: I just wanted to say one more thing. It's  
12 to the IRC. Yes, we like to share with First Nation from Wrigley and  
13 also as long as the copy -- as long as it's in the confidential, yeah. But  
14 we definitely want work together on this one, yes. Mahsi.

01:31PM 15 ALAN EHRLICH: Thank you very much. We'll work with you to  
16 find out the kind of confidential handling that you're comfortable with,  
17 and we'll stick to that. And, of course, those materials don't go on our  
18 website. Thank you.

01:32PM 19 Okay. Next, I'd like to ask the Norman Wells Renewable  
20 Resource Council, Lisa or Rhea, I'm not sure who is online right now,  
21 but would you be willing to share with the board your traditional land and  
22 resource use study to help the board make a better decision, knowing  
23 that we'd be happy to take it under a confidential cover and can  
24 negotiate confidential handling that you'd be comfortable with.

01:32PM 25 LISA McDONALD: Hi, it's Lisa McDonald. Absolutely. I guess  
26 going into discussion further in regards to the confidentiality agreement  
27 stuff. But I think the more important thing is, yeah, Tulita has agreed,

1 and we're pretty close -- we have a close working relationship. So, yes,  
2 definitely, I think we would agree to that.

01:33PM 3 ALAN EHRLICH: Okay. I thank you both for your generosity with  
4 your knowledge. And we know that Łíídlıı Kúę First Nation is, I believe  
5 in the process of completing -- if you could give us an update on where  
6 you're at. I understand that there's traditional lands and resource use  
7 study that's ongoing, but I don't know if it's complete yet. Can you let us  
8 know where that is and if you'd be willing to submit it to the board for its  
9 consideration under a confidential cover, if necessary.

01:33PM 10 DIETER CAZON: My colleague, Trieneke Gastmeier, she is  
11 online, she'll answer.

12 TRIENEKE GASTMEIER: Trieneke Gastmeier for the Łíídlıı Kúę First  
13 Nation. The study is complete. We're just waiting for a confidentiality  
14 sharing agreement to be signed and finalized between the proponent  
01:33PM 15 and LKFN. In terms of sharing it with the board, that's something that  
16 we'll have to discuss internally and get back to you. We're not in a  
17 position to make a decision on that right now.

18 ALAN EHRLICH: No, I appreciate that. Thank you, Trieneke, and  
19 that sounds good. Sometimes the kinds of things the board might be  
01:34PM 20 looking at in terms of traditional knowledge might not be exactly the  
21 same kinds of things that the developer is looking at in terms of  
22 traditional knowledge because, of course, our mandates are a little bit  
23 different. But we appreciate your openness and would love to continue  
24 that conversation.

01:34PM 25 Malorey Nirlungayuk, is there anything else? Any other  
26 questions you have on this topic?

27 MALOREY NIRLUNGAYUK: There is not. Thank you all for your

1 responses.

2 ALAN EHRLICH: And you guys all recognize Malorey because

3 she's been in the room with us the last two days, but because of our

4 schedule's little bit late now, she is asking the question remotely. No,

01:34PM 5 we appreciate that. And we appreciate everyone's willingness to try to

6 make sure that the board has the best information it can get for a

7 decision. Our board takes traditional knowledge -- traditional

8 Indigenous knowledge extremely seriously and puts it on par with what's

9 scientific knowledge and it is an influential force in the decisions the

01:35PM 10 board makes. And so to make decisions, having good current

11 knowledge, particularly about uses in the area, that's really valuable to

12 us. So thank you for that.

13 Okay. Now I'm going to go back to Pehdzeh Ki First Nation.

14 They had some mitigations that they mentioned before they wanted to

01:35PM 15 cite, and they patiently waited for us to wrap up that other discussion.

16 So back to PKFN. And Todd McCauley, we haven't forgotten you.

17 You're on the list right after.

18 JANE HENDERSON: Jane Henderson for Pehdzeh Ki First Nation.

19 So these topics we had framed as questions to the developer but they

01:36PM 20 go to your questions.

21 So engagement with participants other than PKFN in 2022 and

22 2023, participants repeatedly asked for a moratorium and/or buffer

23 around the all-season road to reduce the impacts of nontraditional

24 harvesting. Participants also recommended a five to ten-year

01:36PM 25 moratorium on hunting to protect and monitor the baseline of caribou

26 and moose. That's at page 10-8. In 2011, the Deh Cho First Nations

27 recommended a five to ten-year moratorium on hunting along the

01:37PM

1 all-season road. In section 9.9.2.1.2, the developer states that the  
2 project may cause changes in patterns of nontraditional harvesting, but  
3 does not assess the impacts any further. The 2012 PDR provides a  
4 more in depth -- so to be clear, we're talking about nontraditional  
5 harvesting here. The PDR provides a more in depth understanding of  
6 the potential effects of nontraditional harvesting on PKFN specifically.  
7 And the report recommends regulation of this as a mitigation measure,  
8 but doesn't go into detail.

01:37PM

9 The PDR summarizes PKFN's great concern that increased  
10 access to the N'deh through the all-season road will put increased  
11 pressure on traditional wildlife and plant resources and cause the kinds  
12 of -- exactly the kind of situation that LKFN has described.

01:37PM

13 PKFN has expressed that moose habitat and calving takes place  
14 along the winter road in the Deh Cho, especially around the water  
15 crossing areas and at Gaudet. Caribou migration takes place along the  
16 water crossings, along the winter road, especially between Ochre and  
17 Blackwater. Human activity in those areas is a huge concern for PKFN.  
18 Both the increased road use and the land use that will be made possible  
19 by the all-season road, the increased access noted in the DAR.

01:38PM

20 At page 2-30 of the DAR, the developer summarizes the  
21 response to the consistent and repeated requests throughout the Sahtu  
22 and Deh Cho for a moratorium on non-traditional hunting along the  
23 all-season road but proposes only a wildlife management and  
24 monitoring plan. So PKFN's question is, why does the developer not  
25 provide a detailed rationale and explanation for rejecting the dozens  
26 requests for a moratorium on nontraditional hunting along the proposed  
27 all-season road.

01:38PM

01:39PM

1 JAMES HODSON: Yeah, James Hodson with the ECC. To answer  
2 part of the question. So I think we responded to this question in one of  
3 the information requests. For GNWT, our position was that we don't  
4 feel there's any indication that a moratorium in advance of construction  
5 and operation of the highway is necessary. We're proposing to  
6 maintain the same limits on resident harvests for boreal caribou and  
7 moose that are currently described in the big game hunting regulations.  
8 If that monitoring indicated that there was an issue, that the populations  
9 suddenly started to decline as a result of harvesting along the road,  
10 then we would meet with our co-management partners and Indigenous  
11 organizations to discuss what steps need to be taken. But we don't  
12 think that conversion of the winter road to an all-season road will  
13 automatically lead to an overharvesting issue in this case that would  
14 necessitate a moratorium.

01:40PM

15 ALAN EHRLICH: Thanks, James. You know, this is an issue that  
16 the board had to consider when it was looking at the Tłıchǵ All-Season  
17 Road too. I hear your point, which is very similar to what the GNWT  
18 said for the Tłıchǵ Highway. I recall my comments earlier today and  
19 yesterday were one of the big goals of environmental assessment is to  
20 anticipate and avoid problems rather than wait for them to happen and  
21 then react and cure. What you're suggesting is an adaptive approach,  
22 wait to see if there is a problem and then start trying to change things at  
23 that point. One of the issues with adaptive management is the timing of  
24 that feedback loop needs to be fast enough to deal with the problem  
25 before it becomes a big problem. And do we have reason to think that  
26 the administrative and bureaucratic processes of the GNWT, if it  
27 recognizes that there's an early indication that there might be a

01:40PM

01:41PM

01:42PM

1 population decline because of increased harvesting particularly from  
2 hunters from other areas that the system would be nimble enough to  
3 recognize the problem and then respond by then changing hunting  
4 regulation before the population has taken a real hit? What I'm trying to  
5 get at is is that an agile enough mitigation to deal with the potential  
6 impact before it becomes a bigger potential impact? If you say yes,  
7 please expand on why you think the government can move that quickly  
8 and efficiently at the early stages of a potential problem that we've  
9 heard clearly matters very much to Indigenous groups. Thank you.

01:42PM

10 JAMES HODSON: Yeah, James here with ECC again. So I guess

01:43PM

11 you would have to demonstrate that there is going to be a significant  
12 impact because of this road on the population that necessitates this  
13 measure being taken with regards to the nimbleness of our ability to do  
14 something about that situation. If it observed to occur, I think we can  
15 get kind of emergency measures in place fairly quickly when there is a  
16 conservation concern like that. But from what we see currently in the  
17 territory, resident harvest levels on boreal caribou are very low, and  
18 resident harvest levels on moose are also pretty low. So in GNWT's  
19 view, there isn't need for this drastic measure, to put a moratorium on  
20 resident harvest on presupposing that the road is going to lead to this  
21 drastic decline those species.

01:43PM

22 ALAN EHRLICH: Thanks, James. I hear what you're saying. The  
23 board will certainly consider everything the GNWT has to say on this  
24 topic and everything that the other parties, including Indigenous parties,  
25 have to say when it makes its determination of the potential significance  
26 of this impact and decides how precautionary an approach is  
27 reasonable given what it's heard. So thank you for that. Over to John

01:44PM



01:44PM 1 Nishi.

2 JOHN NISHI: Thanks. John Nishi for the board, Review

3 Board. James, thanks for your insight. I think I understood your

4 rationale, or argument. I was hoping to get some clarification on what

5 you meant by "a sudden decline in a population". Could you expand on

6 that in terms of what does that mean? What rate of change are you

7 thinking and other what timeframe are you thinking. Thank you.

8 JAMES HODSON: Thanks. James Hodson, GNWT. So usually I

9 guess, at least with boreal caribou, you know, we monitor annual

10 population trend within our study areas, and we will see years where the

11 population goes up, and years where the population is stable, years

12 where it goes down. But I think you would have to look at something

13 like over a five year period if we were just seeing a decline every year

14 over a five year period, that would be a cause for concern. Because

15 that's not, you know, what we typically see if our monitoring study areas

16 to -- things bounce around and fluctuate from one year to the next. But

17 a consistent decline over a time period like that would be cause for a

18 concern. And it would also depend I guess on the rate of change from

19 one year to the next. You know, a 10 percent decline every year over

20 five years, you lost half of your population, that's a big deal obviously.

21 But it's a one percent change per year for five years. So, again, we

22 have to look at the monitoring data from our monitoring programs and

23 discuss it with co-management partners and the communities along the

24 highway, and look at that information then try to come up with a course

25 of action.

26 MARK CLIFFE-PHILLIPS: Thank you, James. It's Mark Cliffe-Phillips with

27 the Review Board. And just to follow up, and the approach that it

01:47PM

1 sounds like GNWT is proposing relates to sort of the aggregate  
2 population-wide monitoring that would occur for todzi or boreal caribou,  
3 along with moose. In terms of other metrics, I know that communities  
4 have mentioned availability for harvesting is the major concern that  
5 groups are expressing, so not just an ecological view but the harvesting  
6 and location of the harvestable and available population. And I'm not  
7 certain the GNWT's monitoring is able to capture that in the real time  
8 that the effects of the road might play on the ability of communities to  
9 harvest todzi and moose.

01:47PM

10 So is there any consideration on figuring out the baseline  
11 harvestable available populations in advance of the road operating so  
12 you can measure this more effectively?

01:47PM

13 JANE HENDERSON: Yeah, I think you brought up two points there.  
14 So there is like what is the baseline population of caribou in the study  
15 area that we're monitoring, and what's the baseline level of harvest  
16 against which we're measuring whether or not there's a decline once the  
17 road is built and open. So you need answers to both those questions.  
18 So you have to monitor Indigenous and resident harvest and have an  
19 idea of what are the numbers before the road open and then what  
20 happens after the road opens, I think is what you're getting at.

01:48PM

21 MARK CLIFFE-PHILLIPS: Mark from the Review Board. Yes, that's what  
22 we're inquiring. I guess is that the approach that GNWT is proposing  
23 for their monitoring?

01:48PM

24 JAMES HODSON: Yeah, James Hodson here again. I think that is  
25 what is proposed in the WMMP although not in detail yet, that we would  
26 work with Indigenous organizations along the Mackenzie Valley  
27 Highway to support them in developing their own harvest monitoring

	1	program to measure that and then to be able to bring that information
	2	back to GNWT to say, yeah, there is an issue here or no, things are still
	3	okay.
	4	MARK CLIFFE-PHILLIPS: Thanks, Mark from the Review Board. So I
01:49PM	5	guess going back to what Alan had originally asked around the ability to
	6	mitigate or manage those effects in a timeframe where there won't
	7	result in significant adverse impacts to the availability of harvestable
	8	species, both moose and todzi. Are the predictions that GNWT had put
	9	forward within the DAR, do you have confidence in that not occurring
01:49PM	10	with the additional increase to transient hunters into the new project
	11	area?
	12	JAMES HODSON: Yeah, I think the GNWT's predictions are
	13	reasonable partly based on our experience with the Tłıchq Highway. So
	14	far we have not -- you know, we have been monitoring the boreal
01:50PM	15	caribou population in that area since the road opened, and it has
	16	continued to increase. And we have not heard from working group
	17	members in that corridor working groups that there is a sudden influx of
	18	resident harvesters and a decline in boreal caribou or moose along that
	19	road. And I mean, given that there's already a winter road connecting
01:50PM	20	Wrigley to Norman Wells, that area's already opened during the -- at
	21	least for boreal caribou, it's open during the current hunting season for
	22	boreal caribou, so making the switch from a winter road to an all-season
	23	road doesn't necessarily change things very much in terms of resident
	24	harvest on boreal caribou. So yeah, I guess it's not clear to me that the
01:51PM	25	road will suddenly increase a influx of resident harvesters into an area
	26	that was already somewhat accessible to them before.
	27	ALAN EHRLICH: Thanks, James. I'd just like to verify that

01:51PM 1 most -- many of the comments you just made you were specific about  
2 caribou but what we've heard is that moose are an important  
3 traditionally harvested -- increasingly important harvested species along  
4 the route. So can I assume from your response that you assume the  
5 same things about moose?

01:52PM 6 JAMES HODSON: Yeah, I mean for moose, it does -- an  
7 all-season road would expand the season a little bit for resident  
8 harvesters, so resident harvesters can hunt moose from September 1st  
9 to January 31st. So it does open up an area in the fall that would not be  
10 accessible currently with the winter road only being there. But, again,  
11 are there enough resident hunters in the Northwest Territories that are  
12 going to come into the region now to make a big difference to the level  
13 of harvest in that region, it's, yeah, hard to say.

01:52PM 14 ALAN EHRLICH: Thanks, James, and in line with some of the  
15 comments I made earlier, my thinking is not just enough resident  
16 harvesters to come into the region to make a big difference, but from  
17 the perspective of the moose there are issues that we've heard about  
18 with disturbance of habitat, with disturbance of pastures, we're going to  
19 get into noise and sensory stuff, I hope, this afternoon. And so there  
20 are a few different things that may be affecting them simultaneously  
21 which could happen simultaneously, this being one of them. Of course,  
22 the board will consider all of the combined impacts from this project, as  
23 well as from other projects, on moose instead of just thinking about this  
24 one in isolation. But I hear your point, and I get it. I say thanks.

01:53PM 25 Now John, if I go back to you -- now, after a fairly wondering  
26 discussion but a productive one, I think, we're going back to PKFN.  
27 JANE HENDERSON: Jane Henderson for PKFN. Continuing on this

01:54PM

1 topic. So to clarify, when PKFN is talking about considering a  
2 moratorium as a mitigation measure, they are considering not just  
3 impacts on the availability of moose for harvest but also the impacts of  
4 hunters -- outside hunters' behaviours on the community and on N'deh.  
5 PKFN seeks a preventive and not a reactive approach and does not  
6 have confidence in the GNWT's prediction of impacts of the highway on  
7 the moose and does not have confidence in the process -- the  
8 emergency measure process that is described by GNWT.

01:54PM

9 PKFN is concerned that if outside folks get access, they will feel  
10 entitled to it and may not respect its removal even if any emergency  
11 measures were successfully put in place.

01:54PM

12 To PKFN, a perfect example and analogy to compare to is what  
13 we see happening with folks coming in to harvest morels. They come in  
14 and harvest the mushrooms, they take them away and sell them, and to  
15 PKFN, this kind of -- this increase in outside access and people profiting  
16 and not contributing to the community and the conflicts that can happen  
17 between those folks and the locals is exactly what PKFN expects to  
18 have happen with the highway, and they're very concerned that there  
19 are -- at this point there are no opportunities to educate outside folks on  
20 how to behave appropriately in N'deh and what protocols need to be  
21 followed. That's a follow-up comment to the previous.

01:55PM

22 Here comes a further question on this topic to the developer.

01:55PM

23 Why has the developer not reviewed and considered the historic  
24 hunting restrictions along the Liard Highway, Highway No. 7, when it  
25 was first constructed in the '80s?

26 SETH BOHNET: Seth Bohnet, GNWT. I'm going to have to take  
27 that away right now. I don't have a response right now.

01:56PM

1 ALAN EHRLICH: Thanks, Seth. Is that something that you could  
2 put on the record, say, a week after our technical sessions, just so they  
3 have time to follow up with IRs if necessary.

4 SETH BOHNET: Yeah, we'll endeavor to have that response in a  
5 week.

6 ALAN EHRLICH: Thank you.

7 JANE HENDERSON: Thank you, Seth. Jane Henderson for PKFN.

01:56PM

8 Alan, you mentioned the Enbridge pipeline route as an example of  
9 where a higher route was chosen. PKFN comments that this is a very  
10 apt example of a good higher alignment that protects the moose and  
11 caribou, as well as of course harvesting and cultural use areas. That's  
12 a comment.

13 Moving on to our next question.

01:56PM

14 The developer has stated at section 10.7.2 that the impacts of  
15 poaching on moose and caribou are unknown. The DAR does not  
16 address other poaching impacts but reports that different communities  
17 have repeatedly identified increased approaching as an important and  
18 concerning impact. PKFN members have observed and reported  
19 increased illegal hunting, fishing, and harvesting in their territory in  
20 recent years. Members also recall illegal hunting by out of region  
21 workers when the highway was built to Wrigley which caused conflict  
22 and distrust and even protests.

01:57PM

23 PKFN of course notes that, you know, increasing access from  
24 the winter road partial access to all year-round is a dramatic difference  
25 so it seems unlikely that access won't greatly increase for both  
26 outsiders coming in to hunt legally and illegally. So the question to the  
27 developer is what will be done to prevent increased poaching?

01:57PM

1 Examples that PKFN sees are establishing and supporting guardian  
2 programs, putting in Dene Zhatie signage, including information about  
3 appropriate conduct in N'deh and how to conduct yourself if hunting in  
4 the area.

01:58PM 5 JAMES HODSON: James Hodson here with GNWT. I'll let my  
6 other colleagues weigh in here too, but one of the measures that's  
7 proposed in the WMMP is to hire additional renewable resource officers  
8 in one of the communities along the Mackenzie Valley Highway to  
9 increase patrols on the highway to get at just that issue of potential  
01:58PM 10 poaching or illegal harvesting.

11 JANE HENDERSON: Jane Henderson for PKFN. Thanks, James.  
12 What's your prediction on how effective that will be?

13 JAMES HODSON: I can't answer that question. I don't actually  
14 have the information at my fingertips about how much of an issue that is  
01:58PM 15 currently or have numbers around it.

16 ALAN EHRLICH: In that case, can we ask the GNWT to take  
17 some time and provide a written answer to that one on the record.  
18 PKFN, I have a feeling if you repeat the question, it might be helpful.

19 JANE HENDERSON: Thank you Alan. Jane Henderson for PKFN.  
01:59PM 20 So to repeat the question, the developer has stated at section 10.7.2  
21 that the impacts of poaching on moose and caribou are unknown.  
22 PKFN asks what will be done to prevent increased poaching, and I  
23 understand that because the impacts of poaching are not known, the  
24 impacts of the proposed mitigation -- increasing a presence of patrols --  
02:00PM 25 is also unknown, so.

26 So to phrase that as a question, what will be done and how can  
27 we have any confidence in it if you don't know what the poaching is and

1           you don't know how the mitigation works; how does that work?

2           ALAN EHRLICH:           So in short, I think in light of that, it's what will

3           be done to prevent additional poaching and what is your confidence --

4           or basis for confidence that it will be effective?

02:00PM 5           SETH BOHNET:           Seth Bohnet, GNWT. So we have, I believe -- I

6           don't want to misspeak, so I'll take that away. Apologize. I don't want to

7           mischaracterize something.

8           ALAN EHRLICH:           No, appreciate that. Is two weeks enough time

9           for you to get something on the record, a response on the record?

02:01PM 10          SETH BOHNET:           Absolutely, yeah.

11          ALAN EHRLICH:           Would that be okay to PKFN? PKFN is

12          indicating yes. Back to you -- how many more questions do you have in

13          this area, Jane?

14          JANE HENDERSON:       We have one specifically related. We have two

02:01PM 15          on cultural impacts. One on cumulative impacts. And then we're

16          getting into fish, waters, other topics.

17          ALAN EHRLICH:           Okay. So let's do that. But I know that Fred

18          Andrew and Dieter both have points from the Tulita Renewable

19          Resource Council and Łíídlıı Kúę First Nation. So I'm just going to give

02:01PM 20          them a chance now, just to mix it up a little bit. We won't lose your stuff,

21          and we'll try hard to get through everything we need to today, by the end

22          of the day. So I just encourage everyone to -- I know these are all

23          issues that are close to people's hearts, and it's hard to be concise with

24          this, but let's do the best we can to make progress this afternoon.

02:02PM 25          Thank you.

26                        So, Fred, it's -- you have a question. And Todd.

27          FREDERICK ANDREW, JR:   My name is Frederick Andrew, RRC



02:02PM

1 Tulita. I just wanted to -- in regards to James Hodson and John Nishi  
2 regarding population of caribou and habitat, I just want to comment on  
3 that. You know, the habitat is very, very important to the caribou. If it's  
4 a good habitat, we have a really good population. It's all come down to  
5 bull. You have to be a really healthy bull in order to create a population.  
6 But the habitat is so important. So I just wanted to comment on that.  
7 Also, I know with this Mackenzie Valley Project it's a major thing that  
8 going through our territory down to Wrigley, and it's going to be maybe  
9 lots of disturbance on habitat for sure. [Indigenous language spoken].

02:03PM

10 Todzi habitat. And if you want to have a really, really good, a lot of  
11 population, it all come down to good -- healthy habitat and a healthy  
12 bull. That's the ones that create the herd. And so I had a question for  
13 the GNWT.

02:04PM

14 Earlier in the future -- down the future study caribou -- that  
15 habitat study, I think they should work with the First Nation -- local  
16 people to work together this way, not just GNWT study only. It has to  
17 go with Dene people too because they have that traditional knowledge  
18 all the way up to -- all the way up to [inaudible]. So I just wanted to  
19 mention that. So important that habitat has got to be really healthy.

02:04PM

20 You want to talk about caribou habitat, it all come down to bull. It's got  
21 to be really healthy in order to create the herd, increase the herd. So I  
22 just wanted to just to say that. Mahsi.

02:05PM

23 ALAN EHRLICH: Mahsi, Fred Andrew. I forgot to mention that  
24 Todd from SSI is also in line. And so after LKFN on this topic, we'll go  
25 to you, Todd. And then we'll go back to -- we'll go to SSI and then we'll  
26 go the Norman Wells Renewal Resources Council online and then back  
27 to PKFN. So that's the lineup. Dieter, Łíídlıı Kúé First Nation.

02:05PM

1 DIETER CAZON: Yeah, Dieter Cazon, Łíídlıı Kúę First Nation.  
2 Just following up on some of the conversations that PKFN in  
3 questioning in regards to poaching. There is another issue of concern  
4 for LKFN and harvesters across the Deh Cho, is people shooting  
5 moose and abandoning it. They won't go chase after their moose that  
6 they shoot. And quite often, several times a year and in increasing  
7 numbers every year, harvesters are finding moose that have been  
8 abandoned. So that's a huge issue of concern. And it's -- yeah, it's  
9 troubling, and it bothers a lot of people. That was it. Thank you.

02:06PM

10 ALAN EHRLICH: So just for the context of the Mackenzie Valley  
11 Highway, are you expecting more of that to happen as a result of the  
12 highway, or how do you see that sort of fitting in with what the GNWT  
13 proposes?

02:06PM

14 DIETER CAZON: Yeah, with the -- with the new work with the  
15 Mackenzie Valley Highway, it's just something that's going to have to be  
16 expected. I don't want to say we're -- it's not something you want to  
17 have to become accustomed to, but it's something that we're not as  
18 surprised to see anymore. It bothers a lot of people to see. But once  
19 this stuff starts happening and it starts going further north, then it's  
20 really going to start bothering people. Thank you.

02:06PM

21 ALAN EHRLICH: Thank you, Dieter. Now, Todd McCauley, I had  
22 the pleasure of speaking with your late mother at length when we were  
23 doing the scoping for this. You know, she was one of diehards who  
24 came out in Norman Wells. And her views on highways were very, very  
25 well established in the paper and many other stuff. But she came into  
26 the scoping that we did as an early part of this assessment, 2012, 2013,  
27 and, again, shared her views and help shaped the terms of reference

02:07PM

02:07PM

1 that this environmental assessment has been carried out under. And so  
2 I just want to acknowledge that, you know, her -- she made a difference  
3 to how this environmental assessment is framed and moving forward,  
4 And that helps shape the process that we're sitting in today for this  
5 assessment and for what kind of issues to focus on and how the board  
6 should make its decision and consider it. So I just wanted to put that  
7 out there, and now to give SSI, through you, your chance to speak.

02:08PM

8 TODD McCAULEY: Todd McCauley, Sahtu Secretariat. Thank you,  
9 Alan. I just want to start by saying I hope, now that Fred is sharing is  
10 traditional knowledge with KFC, I hope they don't start harvesting our  
11 ptarmigans.

02:08PM

12 So as I said on Tuesday, in 2019, the Sahtu Secretariat signed  
13 an MOU with the GNWT to promote the Mackenzie Valley Highway.  
14 As a result of the MOU, a steering committee was formed and a  
15 working group. The steering committee consists of the minister of  
16 Infrastructure, our Sahtu MLA Danny McNeely, and representative from  
17 the SSI. Additionally, the working group consists of staff from the  
18 GNWT and the Mackenzie Valley Highway liaison officer, which is me.

02:09PM

19 When it comes to the business case that was submitted in 2023,  
20 it was noted that the business case required an update. The SSI had  
21 insisted that a new business case be developed. The SSI worked with  
22 the GNWT to develop the RFP. Additionally, the SSI was part of the  
23 evaluation.

02:09PM

24 The new business case in the RFP includes three important  
25 sections. The first one is country, which is national defence, so our  
26 GTC partners here mentioned yesterday that Sahtu Secretariat is  
27 promoting the business case to go from Wrigley to Inuvik, and we've got

02:10PM 1 the -- securing Canada's link to the Arctic. So I've got a bunch of copies  
2 here if anyone wants it. It's the national defence and security benefits  
3 of the Mackenzie Valley Highway Project.

4 In addition, last winter, due to low water concerns in Fort Good  
5 Hope, we had a 15-minute video produced, which is on YouTube, and  
6 we've got QR codes if anyone wants to have access to the QR code.  
7 Along with that, we've developed an app. We believe we're the first  
8 Aboriginal group in North American to use apps to update our  
9 membership. So click on the QR code here, and it takes you to the  
10 app. Trying to move the ball forward here with technology. So that's  
11 the national defence, which is our country portion.

12 We did presentations to the national defence senate committee  
13 last year and also the Arctic security working group.

02:10PM 14 The second tier of our program is climate change. What we're  
15 dealing with is shorter winter roads and low water levels and no  
16 intercommunity travel on the river. I don't know how many -- or where,  
17 but this summer, we -- people couldn't drive a Lund from Norman Wells  
18 to Fort Good Hope, the water was so low.

02:11PM 19 Additionally with climate change with low water, we've heard from  
20 Wrigley the concern about fuel spills on the bridges but there's also the  
21 concern with marine transportation. The fuel barges are all single  
22 hulled barges, and last year, 2023, a barge got stuck by Fort  
23 Providence and then when the coast guard went in to help them, the  
24 first coast guard barge got stuck. Then the second coast guard had to  
25 go in and get them. So there's a real issue here with the barging of fuel  
26 up and down the Mackenzie River.

02:11PM 27 The third tier is our community. It's the cost of living and, as well,

02:11PM

1 connecting communities. The Mackenzie Valley Highway's in  
2 competition with a couple of other national projects, but the Mackenzie  
3 Valley Highway is the only highway that's being proposed right now that  
4 connects communities. The Grace Bay Project doesn't connect  
5 communities, and neither does the road to Churchill. So we believe  
6 that's a huge impact.

02:12PM

7 We have residents at the Tulita health centre and the Elders'  
8 facility that are from the region and the cost of air travel to get from Fort  
9 Good Hope or Délı̨nę to Tulita to Norman Wells is huge. But if we had a  
10 road from Tulita to Norman Wells, it's 80 kilometres and you could be  
11 there in an hour. So it's one of our huge, huge issues.

02:12PM

12 As Timm mentioned of DPRA the other day, two big social  
13 economic issues came up. One was drug and alcohol use, and one  
14 was public safety on the proposed Mackenzie Valley Highway.

02:13PM

15 We all know there's drugs and alcohol issues affecting Sahtu  
16 and, for that matter, the Northwest Territories and Canada right now.  
17 Last month, we had an overdose in Tulita and the young fellow died.  
18 And I hate to bring it up because it's an emotional -- there's people here,  
19 family, and it's hard. As well on Monday, there was a drug bust in  
20 Tulita. So we're trying to work with -- right now we're working with the  
21 town of Norman Wells but we're trying to develop a program where we  
22 can monitor sewage lagoons in the communities and see if there's  
23 traces of opioids right now. Statistics Canada did something a couple  
24 years ago where they measured the opioids in 14 cities across Canada.  
25 So if we could have a baseline then theoretically when highway is built,  
26 we could see what the changes are. So I think it's a good baseline to  
27 have for future projects.

1                   Also with the drug use, I don't know if everyone's aware that a  
2 house got burnt down Norman Wells last month. A guy was shot in the  
3 leg with a crossbow. Another person was stabbed in the neck and is  
4 now paralyzed. So we have facing these issues as we speak.

02:14PM   5                   The SSI met with Imperial Oil this week. Imperial Oil will be  
6 mobilizing equipment on this year's winter road to prepare for shutting  
7 down the field depending on what happens with the Review Board.  
8 They can't -- they're not depending on barges because if they have to  
9 bring barges in the summer, it's not possible so they're staging  
02:14PM   10 everything this winter.

11                  We also thought that when the fuel shuts down, remediation  
12 would begin but we've now learned that it could five to ten years before  
13 their plan is submitted. So there could be a 5- to 10-year gap between  
14 shutting down and remediation starting in Norman Wells.

02:14PM   15                  Additionally, with the Tulita health centre being constructed, right  
16 now there's 90 DC3 loads of flights going in to bring in material for the  
17 Tulita health centre that could have been brought up on a road. In  
18 August of this year, Fort Good Hope, 64 plane loads, 400,000 litres of  
19 gas. In addition, Imperial Oil is bringing in 1.3 million litres of gas and  
02:15PM   20 home heating fuel as we speak into Norman Wells. For this year's  
21 winter road traffic, there's expected to be over a thousand tractor trailers  
22 coming up over probably a 60-day period, so we're hopeful that there's  
23 no incidents on this year's trucking season.

02:15PM   24                  One of the major things our position is is that the Sahtu needs to  
25 be connected to the rest of Canada. And as I mentioned earlier, the  
26 Mackenzie Valley Highway is the only highway proposed that connects  
27 people. Last year, Elon Musk said he would have the space station

1 operational in ten years. If we can build a space station in ten years,  
2 why is taking half a century to build a highway? Sahtu might as well be  
3 on Mars at this point. Mahsi.

02:16PM 4 ALAN EHRLICH: Mahsi cho, Todd. Those numbers really help  
5 clarify some of the urgency that we've heard about for some of the  
6 pressures for people in the Sahtu. And, you know, also I just want to  
7 reiterate that it's very rare that an environmental assessment results in  
8 rejections, quite rare. What environmental assessments try to do is try  
9 to make projects better and it sound like there's -- there are many folks  
02:16PM 10 who want to make sure that if a highway is built, it's the best highway  
11 possible to maximize and make sure that it achieves the things that it's  
12 intended to build and to avoid unintended harms along the way. And so  
13 I take your comments well in that light, and I thank you for voicing  
14 something that I know a lot of people in the Sahtu have felt strongly  
02:17PM 15 about for an awfully long time.

16 Now, I'm going to go to Rhea with the Norman Wells Renewable  
17 Resource Council online.

18 RHEA McDONALD: Hello. Can everyone hear me?

19 ALAN EHRLICH: We can.

02:17PM 20 RHEA McDONALD: Yeah, I'm just, I guess, going back to roads and  
21 moose and caribou habitat and disturbances and resident hunters and  
22 hunters from beyond. This has been a problem in the Sahtu region for  
23 some time. We have an issue at Mile 222. We have hunters from all  
24 over coming in, not only Yellowknife, but Yukon, BC; you name it,  
02:18PM 25 they're coming. They're coming in with -- and I've seen it myself, with  
26 trailers, big campers, quads behind, freezers, da da da da. Some of  
27 them practice -- practices are very well, and for a couple years there,

02:19PM

1 we had -- we were -- our RRC was working with ECC, now it is, to try  
2 and make a presence, I guess, out there and to inform people of private  
3 lands and best practices and stuff like that. And I found that that really  
4 helped. We started getting calls from hunters that wanted to come in  
5 the area to hunt and where they wanted to hunt and what they wanted  
6 to hunt, and when they were done their hunt, they gave kind of a report  
7 to us, I guess, stating on what they -- what they hunted and where they  
8 hunted and what they seen. And some of them went even as far as  
9 cleaning up some of the -- some of the disturbances and messes they  
10 seen left behind by other hunters. But nonetheless, where there's  
11 access, more will come.

02:19PM

12 When we negotiated the Naats'ihcho'oh, there was that mining  
13 road that goes through there and, no word of a lie, I think it was the first  
14 year there was two hunters -- I think it was two hunters that was  
15 charged that were going up there. And the only officers they got, I think,  
16 are from Smith that go up that way, and that's once or twice a year.  
17 That, to me, is not acceptable.

02:20PM

18 I think that the government, for best practices, need to really  
19 work with First Nations and try and get, I guess, boots on the ground to  
20 make sure stuff like this doesn't happen. Like, Mile 222, it's so -- the  
21 caribou habitat is so torn up by ATVs, it's unbelievable. It looks like  
22 city -- city roads in the city. Like, it's ridiculous. And that's going to  
23 happen.

02:20PM

24 I mean, before the water started going low, we started getting  
25 hunters coming up the river. Some of the Tulita hunters were  
26 complaining about hunters coming up from the south up the Keel River.  
27 So I mean, there's no stopping people coming up and hauling boats, if

02:21PM



02:22PM

1 there's even water for a boat, I guess, to do things like that. So I really  
2 encourage the GNWT, ECC, to work with First Nations to mitigate these  
3 issues before, so to get there -- whatever it may be, boots on the  
4 ground, and ready to go before, not after, not when, not -- but before  
5 this road goes through. I mean, like you already hear from the other  
6 Indigenous groups, that it's already happening; it already happens. So  
7 a road's only going to make it worse. And I'm not saying I'm against the  
8 road. I'm just saying -- asking the government to make good on their  
9 word and work with the Indigenous groups to get their monitoring and  
10 their guardianships or work with the guardians, or whatever it may be, to  
11 mediate a lot of these issues. Thank you.

02:23PM

12 ALAN EHRLICH: Thank you very much, Rhea. I really appreciate

02:23PM

13 it. You know, one of the things that the board heard quite a bit about  
14 from different communities in October when we were in Wrigley, Tulita,  
15 Norman Wells, and Délı̨nę was this point that, yeah, there's Indigenous  
16 monitoring -- for example, Fred talked yesterday about monitoring  
17 construction -- but there's also real opportunities with Indigenous  
18 guardians, boots on the ground type programs. Some of what was  
19 spoken about, some boots on the ground programs are more  
20 researched based, but some of them are more keeping an eye on  
21 what's going on. And people who know that they're being kept an eye  
22 on, people from outside, often can behave differently. And so, you  
23 know, I think one of the real opportunities here is through serious  
24 empowerment of the individual Indigenous communities to have an  
25 active role in this kind of guardianship, which we've only heard  
26 consistently good results from, good reports from, and every community  
27 has expressed an openness and a willingness to take part and to -- I

02:24PM

02:24PM

02:25PM

1 think there's some real mitigative potential in this, and I just want to  
2 encourage the GNWT to take advantage of the communities that are  
3 being extended by the Indigenous groups that -- all the Indigenous  
4 groups who have suggested that they want this, and they want a greater  
5 role in this, and what can the GNWT do for this, because it may have  
6 real potential for mitigating significant adverse and environmental  
7 impact which we just heard about in a lot of detail. GNWT care to  
8 comment?

02:25PM

9 SETH BOHNET: Seth Bohnet, GNWT. Yes, thanks very much.  
10 First, thank you to everybody, again, for your comments on the  
11 importance, of course, of moose and caribou and habitat and  
12 expressing the concerns, again, with regards to poaching, increased  
13 access, and other activities that have the potential to be impacts.

02:25PM

14 I do believe, and I would reiterate that we have heard that  
15 regularly through our engagements. There's several different facets  
16 there to touch on, not the least of which, again, is that several of those  
17 activities that are being referenced are already being managed through  
18 legislation and enforcement and education programs that the GNWT  
19 has in place.

02:26PM

20 There are certainly opportunities from a project-specific  
21 perspective to work collaboratively with communities as proposed and  
22 outlined in the DAR and the draft WMMP to define and better improve  
23 how we can work collaboratively together on monitoring and  
24 management of those specific facets, and to collect better information  
25 and fill in information naps, and we are, again, continuing to engage on  
26 that specifically.

02:26PM

27 I do believe -- and I think we have Heather back online, and I

02:27PM 1 think she wanted to provide a little bit more context as well too on that  
2 discussion, if I could. Heather, are you there?  
3 HEATHER SAYINE-CRAWFORD: I'm here. Sorry, Heather  
4 Sayine-Crawford for GNWT Environment and Climate Change. My  
5 apologies for running away from the meeting; I got -- I had to attend  
6 another meeting but I am back and listening.

02:27PM 7 ALAN EHRLICH: Heather, the sound is unfortunate at the  
8 moment. Do you want to try turning off your camera and see if that  
9 might improve it?

10 HEATHER SAYINE-CRAWFORD: Sure. Sorry to hear that.  
11 ALAN EHRLICH: This may be the microphone. Are you able to  
12 switch to a different microphone?

13 HEATHER SAYINE-CRAWFORD: How about that; does that  
14 work?

02:28PM 15 ALAN EHRLICH: Perfect, you can put your camera on now too.  
16 You sound great.

17 HEATHER SAYINE-CRAWFORD: You don't want to see a  
18 little weasel. Okay, so again, apologies to folks for not being there in the  
19 room. I got called to another meeting.

02:28PM 20 So I hear -- I heard the concerns, I heard Dieter speak earlier  
21 about the collaboration between ECC and LKFN. I understand that  
22 Pehdzeh Ki First Nation also brought up concerns over illegal harvesting  
23 and people harvesting -- or people coming into the Deh Cho from other  
24 areas to harvest. I do want to reiterate that our illegal harvest rates are  
02:28PM 25 quite low across the NWT. For the most part, people, hunters are  
26 following the laws; they're following the rules. I think having more  
27 opportunity to talk with folks about what those -- what those laws entail

02:29PM

1 is always a good thing, so having another renewable resource officer  
2 out there on the ground will be great. And also having more of those  
3 partnerships with Indigenous governments. So, you know, Norman  
4 Wells, we had brought up the point that they went out to Mile 222, had a  
5 lot of conversations with people out there, doing the same thing along  
6 the road I think will go a long way to having more compliance.

02:29PM

7 I did want to just flag that there are folks who have rights in areas  
8 that do come into hunt and harvest with those using their own rights,  
9 and we have to recognize that, and they're not always from the  
10 community. And at the same time, if people have concerns or see  
11 things that they think may not be right, please, please, report to your  
12 local ECC office with as much detail as you can, and we will follow up.

02:30PM

13 So there are -- as people know, there are only so many people  
14 who can be part of -- or can be out on the land at any one time. But  
15 each of your respective organizations have eyes and ears out there a lot  
16 and having -- depending -- or if you're willing to give that information to  
17 an ECC officer, that would go a long way. So mahsi.

02:30PM

18 ALAN EHRLICH: Thank you for that. We're going to switch to a  
19 break. After the break, we'll take maybe one or two more comments on  
20 this topic. We've got climate change and permafrost, an important  
21 issue that we kind of hit on a little bit at the beginning but we have some  
22 detail to get into. Fish, air, and noise. Again, we're exploring what  
23 options we have schedule-wise with the time we've got left, and  
24 exploring the ideas, you know, we can go a bit longer tonight to prevent  
25 having to start up again tomorrow.

02:31PM

26 So I'm going to ask, can we all take a break and start at 2:40  
27 sharp. We'll have more to report then. Thanks.

1       - SHORT RECESS -

2       ALAN EHRLICH:               So look, we're going to play around with the

3       schedule a little bit and we'd like to try, if necessary, going late tonight

4       rather than trying to get things happening tomorrow as well because

02:45PM 5       tomorrow is very difficult. Late tonight will not be very late tonight, but it

6       might run a little bit past, and we'll do the best that we can.

7       We recognize that there might still be other questions, but we do

8       have a round of information requests opening right after this technical

9       session. And so prioritize the questions you're asking here because

02:46PM 10      your other questions, you can always do in writing and they will still go

11      on the public record and be considered. And we know that's not always

12      exactly the same as asking face to face, but we're going to do the best

13      we can with the time we have.

14      So we also know that -- we know that ECCC's water specialist is

02:46PM 15      only here until 3 o'clock so with that, what I would like to do, if it's okay

16      with the GNWT, you guys have presented your DAR and you've all had

17      a chance to read the written materials on record, would it be okay with

18      you if we didn't do the development presentation on your predictions

19      just yet, but we start with questions on water while ECCC's water

02:46PM 20      person is here, and then we give you ten minutes to run through your

21      predictions after that? In order words, right now you're scheduled to

22      make your presentation first, but I'd rather start with some questions on

23      that, and then go to them. All right?

24      SETH BOHNET:               Seth Bohnet, GNWT. So just to clarify, we're

02:47PM 25      gonna switch gears and go to water right now, and you're asking us to

26      forego our slides?

27      ALAN EHRLICH:               I'm asking if we can have some questions

1 before your presentation instead of your presentation first because  
2 we're going to lose someone we need if we start with the presentation.

3 SETH BOHNET: Yeah, absolutely -- Seth with the GNWT -- that's  
4 fine.

02:47PM 5 ALAN EHRLICH: Okay. We're going to start -- and we're not  
6 going to separate so much the water and permafrost and climate  
7 change items. If people want to ask questions of those, yes, there are  
8 relationships between them -- we also know there are also differences  
9 between them -- but we're going to try and sort of combine where we  
02:47PM 10 can and see where we can go.

11 So, first of all, questions related to water or permafrost, who's got  
12 questions they want to ask? Environment and Climate Change Canada  
13 has questions. Go ahead, please.

14 MELISSA PINTO: Melissa Pinto, Environment and Climate  
02:48PM 15 Change Canada. Hopefully it's a pretty quick question of clarification.  
16 I'm going to hand it over to Sarah Forté who is online.

17 SARAH Forté: Good afternoon, Sarah Forté with Environment  
18 and Climate Change Canada. This is a clarification question regarding  
19 response number 172 that was provided to CanNor comment number  
02:48PM 20 42. And this is about quarries and the potential for them to impact the  
21 aquatic environment through increased sedimentation and leaching of  
22 blast residue.

23 In the GNWT's response, they stated they assumed hydraulic  
24 connections between these material sources and watercourses in their  
02:49PM 25 assessment, so there is the direct effect pathway. They didn't explain  
26 how they reached the conclusion that residual and cumulative effects  
27 would be neutral in direction and low in magnitude. And so I would

1 appreciate if they could confirm that they reached the conclusion  
2 because they are confident in the effectiveness of the mitigation and  
3 management approaches that will be included in the quarry  
4 development plans. Thank you.

02:50PM 5 ALAN EHRLICH: Thank you. GNWT. It's about the basis for  
6 your conclusion of no significant effect of the runoff from the quarries  
7 into -- I think it's surface waters and was that -- what's the basis for the  
8 conclusion, and the basis for the determination that it's low magnitude  
9 and low -- what was the second one? Second criteria for significance

02:50PM 10 there?

11 SARAH Forté: Neutral direction.

12 ALAN EHRLICH: Right. And neutral direction. GNWT.

13 ERICA BONHOMME: Erica Bonhomme. Hi, Sarah, nice to see you  
14 again. I -- that was not quite the question I had heard. I heard -- I  
15 heard a question that was more about the pathway of effects, and I just  
16 wanted to ask Sarah if you could just maybe restate your question a  
17 little bit. Is it specific to ground water or surface water?

02:50PM 18 SARAH Forté: It relates to both. They're connected. And, like,  
19 the -- the response was that there was a direct effect pathway between  
20 to two watercourses, so that would be surface water, and it might be  
21 through a segment of ground water to get there.

02:51PM 22 ERICA BONHOMME: Erica Bonhomme. I will do my best here. We  
23 may have to take parts of this away if it doesn't fully answer your  
24 question.

02:51PM 25 So, first of all, the developer does not intend to develop quarry  
26 sources where there is a high ground water table. So the intent is to  
27 eliminate the inner -- potential interaction between quarry and ground

1 water, quarry activities and ground water.

2 In regards to surface water, yes, we would feel that mitigations

3 would be effective at reducing those effects below a significant

4 threshold.

02:52PM 5 ALAN EHRLICH: Thanks. ECCC.

6 SARAH Forté: Sarah Forté with Environment and Climate

7 Change Canada. Thank you. That answers my question. And I have

8 no further questions.

9 ALAN EHRLICH: Thanks. Any other questions on water for the

02:53PM 10 GNWT? PKFN.

11 JANE HENDERSON: Jane Henderson for PKFN. This is about spill

12 risk and water quality. PKFN notes that to protect water quality if the

13 route were moved east up to the foothills, spills could be mitigated

14 before they reach the Deh Cho. This is not possible where the current

02:53PM 15 plan where the bridges -- where the -- yeah, with the current plan and

16 the bridges are so close to the Deh Cho, and PKFN would like to ask

17 the -- the significant risks -- like, can you explain how the spill risks and

18 how they can be mitigated in with the current plan since there's no plan

19 to move it inland

02:53PM 20 ERICA BONHOMME: Erica Bonhomme. The developer spill

21 contingency plan in volume 5 describes the procedures to reduce the

22 likelihood that a spill would happen and also the effects of a spill, should

23 it happen. And I should clarify that that is specific to what the contractor

24 would need to implement during construction.

02:54PM 25 JANE HENDERSON: Jane Henderson, PKFN. Thanks, Erica. Just to

26 make sure I'm understanding correctly, that means that there's currently

27 no plan for during the operation phase, it's been planned out for



1 construction?

2 ERICA BONHOMME: Erica Bonhomme. There's no project specific

3 spill contingency plan that would be applicable to operations, correct. It

4 would, however, be applicable, I should qualify, to the contractor

02:54PM 5 undertaking maintenance on the highway.

6 ALAN EHRLICH: Okay, thank you for that. I'm going to ask if

7 there are any other questions on water and questions on fish.

8 I see PKFN. I just want to know if there's anyone else too.

9 Okay. Department of Fisheries and Oceans, go ahead.

02:55PM 10 TATIANA LECLERC: Tatiana Leclerc with DFO. It's not really a

11 question, more of a comment. I don't think we need any experts, so if

12 you want we can wait until later.

13 ALAN EHRLICH: Okay. In that case, I think I'd prefer to wait

14 because we are trying to hit certain topics while we still have expertise.

02:55PM 15 Thank you for that. PKFN.

16 JANE HENDERSON: Jane Henderson for PKFN. The question is

17 about fish. Identified in the DAR, there is a significant negative effect.

18 As a significant negative effect, the project will make it easier to harvest

19 fish from some areas which may potentially impact fish stocks in the

02:56PM 20 area. PKFN is deeply concerned about anglers and fishers coming in

21 from outside the territory and from the south once access is opened

22 year-round. PKFN asks you to consider how this situation has put

23 stress on fish populations around Providence. The winter road bridges

24 are so close to the outflows of creeks and rivers that PKFN anticipates

02:56PM 25 overfishing from those sites and certainly, you know, an increased

26 fishing and that any -- yeah, and that human presence in those areas

27 will not only impact fish but also disrupt moose and caribou who graze

1 at those outflows to get relief from the bugs.

2 Why has the developer not considered the negative impact of  
3 increased access to nontraditional fishing at the mouths and creeks and  
4 rivers feeding into the Deh Cho?

02:56PM

5 ALAN EHRLICH: GNWT.

6 ERICA BONHOMME: Erica Bonhomme. It is really difficult to jump  
7 around on topics like this, so if we could maybe stick to a theme so we  
8 can let everyone sort of get in the groove, if you will. That would be a  
9 lot more helpful.

02:57PM

10 There were -- I feel like there were a lot of questions in there,  
11 so -- but a few that I picked up on. Yes, the GNWT recognizes that as  
12 a potential effect that it -- because it's an unknown. It's an unknown  
13 how much people will utilize the existing areas along the road that would  
14 facilitate fishing.

02:57PM

15 Second is we don't know how that would affect the fish  
16 populations themselves. We have adopted a precautionary approach in  
17 the DAR where, as a result of the uncertainty, we're recommending that  
18 there be a program to address that uncertainty developed  
19 collaboratively with the communities along the route.

02:58PM

20 Some of the mitigation measures -- mitigations that GNWT can  
21 implement are that they would not make those areas conducive to  
22 vehicles stopping, so not having pull-outs. The GNWT will need to build  
23 pull-outs periodically along the road but having them where they're not a  
24 place where people would access areas for large bodied fish would be  
25 one way to do that; and, the second is that people working on the  
26 project, though they may have fishing licences, wouldn't be allowed to  
27 fish while they're working on the project, while they're, you know,

02:58PM

1           housed in a work camp for example.

2           Outside of that, the GNWT has its own licensing system for

3           fishing. And beyond that, the management responsibility lies with DFO.

02:59PM 4           ALAN EHRLICH:           It's Alan here. Just to observe for the Tłıchq

5           All-Season Road, one of the measures required the Department of

6           Fisheries and Oceans to work with the Tłıchq Government to develop a

7           fisheries management plan that specifically considered increased

8           fishing pressure from outside on certain creeks and rivers. This is a

9           different context because the Tłıchq Government has certain authorities

03:00PM 10          in that project that, for example, Pehdzeh Ki doesn't have. But I would

11          encourage DFO to, please, go have a look at that measure, think about

12          what was done there, and if you have any suggestions or how

13          something like that might be created or applied for the different

14          communities in settled and unsettled land claims along this route, give

03:00PM 15          us something in writing about that. We can wrap that as an information

16          request, but I'd prefer it if you could just take it from this and put

17          something on the record within a couple weeks?

18          TATIANA LECLERC:       Tatiana Leclerc with DFO. We did respond to a

19          IR, like IR82 from MVEIRB, and it was on this. So I did discuss this

03:00PM 20          fisheries management, with our team, and they wouldn't have the

21          capacity to do something similar to TASR to Tłıchq Highway on this

22          project. However, we did submit some recommendations in our IR

23          response. I'm not sure if you want something additional to that.

24          ALAN EHRLICH:           No, I think it helps that parties can hear that

03:01PM 25          there are some recommendations under IR82, hopefully creative

26          mitigations, that will help the address the problem that's being flagged

27          here. Thank you.

	1	I'm concerned that -- I hear what Erica is saying about the
	2	difficulty about jumping between subjects. We're going to lose a
	3	permafrost expert very soon. I know the North is losing permafrost at
	4	an alarming rate, but we're losing our permafrost expert, and even more
03:01PM	5	short-term prospect. And so I want to quickly get into questions relating
	6	to permafrost, and then we'll go into climate change. But we're not
	7	done with fish and water either. And PKFN, I know you have more
	8	questions on this.
	9	So questions on permafrost. Dieter, you have a question on
03:02PM	10	permafrost?
	11	DIETER CAZON: Yeah, Dieter Cazon for Łíídlıı Kúę First Nation.
	12	I have Trieneke Gastmeier and Elise Devoie, she is our permafrost
	13	expert. She is going to be having some questions on our behalf. Thank
	14	you.
03:02PM	15	ALAN EHRLICH: Marvelous. Can we go to your folks online,
	16	then. Thank you.
	17	TRIENEKE GASTMEIER: For sure. So Trieneke Gastmeier for Łíídlıı Kúę
	18	First Nation. Elise is in the waiting room on the Zoom. She's just
	19	waiting to be admitted.
03:03PM	20	ALAN EHRLICH: Okay, she should be in the room within
	21	seconds.
	22	TRIENEKE GASTMEIER: Okay, great. Thank you.
	23	ALAN EHRLICH: Trieneke, do you have anything you want to
	24	start with while we're waiting?
03:03PM	25	TRIENEKE GASTMEIER: I think, Elise, have you joined the Zoom
	26	conference call now?
	27	ELISE DEVOIE: Yes, I have just arrived, sorry. I was in the

	1	waiting room.
	2	TRIENEKE GASTMEIER: Thank you so much. No worries.
	3	ALAN EHRLICH: Elise, please go ahead.
	4	ELISE DEVOIE: All right. So I'm Elise, and I'm here on behalf of
03:03PM	5	LKFN who asked me to do a little bit of an assessment on the
	6	permafrost processes. And so under this objective, there are four main
	7	themes that we've raised some concerns around.
	8	So looking at outdated and potentially sparse based land and
	9	monitoring data and discontinued monitoring sites. Mitigation measures
03:03PM	10	for permafrost protection, looking at winter only operations and fill only
	11	construction, and some concerns about that. The uncertainty and
	12	reversibility in the timeframes of the project. So the use of the terms
	13	"where possible", "no interaction" and "to the extent practical", there
	14	were some questions about that; as well as the fourth being limited
03:04PM	15	flexibility in realignment and post investigation. And so looking at the
	16	fact that realignment may actually be required after gathering some of
	17	the additional data that we could requisite. So a lot -- there are quite a
	18	few questions and direct comments summarized, and we hope that
	19	these could be addressed. But in the interest of time, I'm just going to
03:04PM	20	pull out three main questions here. And I guess I wasn't here for the
	21	beginning of this, so I'll ask the question do I wait for a response, or do I
	22	just ask all three questions?
	23	ALAN EHRLICH: If you could go one question at a time. Ask
	24	your highest priority questions, but we don't want to lose the other
03:04PM	25	questions. This is an important subject area. Ask your highest priority
	26	questions, and then if you're willing to save the others for information
	27	requests, we could still get them asked in a systematic way and get

03:05PM 1 clear answers from them. Would that be okay with you?

2 ELISE DEVOIE: Yeah, perfect. So I will ask those three top

3 priority questions. I'll start with the first one, and then we will submit an

4 information request with the other many questions that I won't go into in

5 the interest of time.

6 ALAN EHRLICH: No, that's good, and I'm sorry that this is the

7 time pressure we're under. I would much rather you had the time to get

8 into this in depth that we'd all like. But, please go ahead.

9 ELISE DEVOIE: No, that's totally understandable. And I

10 understand that it's been a long few days, and so I appreciate we need

11 to stay focused here.

12 So the first question is are there considerations for realignment

13 post geophysical site investigation and/or once baseline data has been

14 updated or augmented?

03:05PM 15 So in the way that it is proposed right now, it seems that this

16 alignment really follows that winter road that's pre-existing for some

17 good reasons, but it's unclear whether or not post site investigation

18 there will be an opportunity to reconsider this if the geotechnical data

19 provided kind of steer in that direction.

03:06PM 20 ALAN EHRLICH: Can I just ask you to clarify. There's been

21 some confusion with the term "realignment" and "alternative route"

22 where parties are often talking about a different corridor while the

23 GNWT is talking about adjustments within the existing corridor. So the

24 existing corridor is a kilometre wide. PKFN has described a route that is

03:06PM 25 more several kilometres upslope, so a different kind of a foundation and

26 different -- a number of different characteristics. Which does your

27 question apply to?

03:07PM

1 ELISE DEVOIE: That's an excellent distinction, and I think my  
2 question likely applies to both though my understanding is that the site  
3 investigation would extend throughout that kilometre. And our  
4 understanding was that realignment within that kilometre would be  
5 considered, and so the question is mostly focused on if site  
6 investigation shows that that entire kilometre does not seem to be  
7 particularly suitable, would realignment outside of there and further site  
8 investigation outside of that corridor be considered? But I would also be  
9 interested in knowing if our assumption that realignment within that  
10 corridor would also be considered. So I guess both is my answer.

03:07PM

11 ALAN EHRLICH: Thank you very much, Elise. GNWT.

12 ERICA BONHOMME: Erica Bonhomme. I will start. I also wanted to  
13 introduce a few people that are available online.

03:07PM

14 Ed Grozic from Tetra Tech, geotechnical engineer; Walter Orr,  
15 Kalo Stantec, civil engineer; and, from GNWT, we have Tim Ensom.  
16 And I may call on them as needed.

03:08PM

17 So in response to your question about realignment within the  
18 corridor. Yes, in fact GNWT is proposing to do its first series of  
19 geotechnical investigations this winter, and those are to look at,  
20 specifically, the approaches to the watercourse crossings, to identify if  
21 there are any constraints with conducting, you know, road cuts, or if  
22 there are, you know, sensitive soils that need to be mitigated for that  
23 may necessitate movement of that approach or a design that would  
24 bring in a roadway somewhere different within that -- within that one  
25 kilometre or, in case three-kilometre corridor, approaching up to the  
26 bridges. And that would apply as the design advances. So in future  
27 years, that geotechnical work will be focused on other areas of the

03:08PM

03:09PM 1 alignment. And similarly, if there are constraints identified there, then  
2 the routing would be either moved or those issues would be mitigated  
3 through the appropriate design where it currently is identified.

4 I just wanted to add that that is one of several considerations that  
5 comes into play when -- I think Alan used the term "wiggling around",  
6 but that's not quite the case. We do want a highway that's straight, for  
7 the most part, and that engagement input would play a big part in  
8 making those adjustments within that corridor as well.

03:09PM 9 As far as moving outside of the corridor, in places, yes, that  
10 would also be an opportunity. We've already identified places where  
11 that -- the GNWT has, or is, working on options where based on  
12 engagement input that route has been moved. Probably less likely that  
13 that would be the case due to permafrost considerations because as  
14 has been mentioned several times before, permafrost in of itself is not a  
03:10PM 15 constraint for the project; it is the types of soils that the road is going to  
16 be built upon.

17 So with that, I'm just going to, I think, maybe offer if Ed would like  
18 to add anything to that. And if not, that's okay too. But I just want to  
19 give that opportunity.

03:10PM 20 ED GROZIC: Sure, hi. Ed Grozic with Tetra Tech, the Kalo  
21 Stantec team. What Erica said is correct, but I'll just elaborate a little bit  
22 on it.

23 Permafrost is a thermal condition. It's a thermal state. And so  
24 where that thermal condition exists then, of course, a design needs to  
03:11PM 25 accommodate that condition, no different than a design accommodates  
26 the soil conditions or the topography that a route would cross. So there  
27 is data that's out there that has identified the -- you know, thermal



03:11PM 1 conditions, the permafrost conditions along the alignment. There's  
2 some more recent drilling that has been done in 2021. There is a plan  
3 to do additional geotechnical drilling in 2025, and maybe beyond that,  
4 just depending on what's being found. So, yeah, that's what I wanted to  
5 add. Thank you.

6 ALAN EHRLICH: Okay. Back to PKFN.

7 JANE HENDERSON: Jane Henderson for PKFN. Erica, you said  
8 today and yesterday that permafrost is not a design constraint. From  
9 PKFN's perspective, it is very, very important to protect permafrost. So  
10 could you say more because it doesn't make sense to PKFN.

11 ERICA BONHOMME: Erica Bonhomme. I'm going to pass that to  
12 Walter who is a road design engineer, and I'm sure he will talk your ear  
13 off -- not that we want to talk anyone's ear off on this, but it is something  
14 that we have a lot of experience in.

03:12PM 15 ALAN EHRLICH: Okay, thanks for the clarification, PKFN. We're  
16 going back to LKFN's folks. Is it still Trieneke and Elise online for more  
17 questions? Sorry. Go to respond. Go ahead, please, Elise.

18 ELISE DEVOIE: Respond or question --

19 ALAN EHRLICH: -- you can tell it's late in the day. So Walter is  
20 responding to PKFN's clarification before we go back to Elise.

03:13PM 21 WALTER ORR: Walter Orr here with Kalo Stantec. Pardon me,  
22 my video is not working but I'll briefly respond to that.

23 Permafrost is certainly a -- informs design, presence of  
24 permafrost, presence of ice which permafrost informs design, informs  
25 design in location, and it also informs design in the embankment  
26 thickness and other things that do in the embankment design, but it's  
27 rarely a constraint to say for goodness sakes, stay out of that location.

03:13PM

1           We're not going to run across boggy wet things -- ground unnecessarily,  
2           but ice rich permafrost can be addressed in the design process through  
3           other things than just location.

03:14PM   4           ALAN EHRLICH:           Thanks. Back to LKFN.

5           ELISE DEVOIE:           All right. Elise here with LKFN. So the second  
6           key question that we wanted to ask was clarification about the role of  
7           communities in the continued monitoring plan for permafrost and  
8           thermal ground conditions; can you elaborate on what that might look  
9           like?

03:14PM   10          ALAN EHRLICH:           GNWT.

11          ERICA BONHOMME:       Erica Bonhomme. The proposed monitoring  
12          programs are identified in the permafrost protection plan. That's  
13          volume 5, draft, and we look forward to comments on that plan as we  
14          look forward to comments on all the plans.

03:14PM   15                There have been options identified for community monitoring in  
16          that. What form that will take, we don't know yet. As with the other  
17          plans, we want to have those conversations engage with the different  
18          organizations on how they could be involved in the types of long-term  
19          monitoring that may be necessary for the project.

03:15PM   20          ALAN EHRLICH:           Thanks. Elise.

21          ELISE DEVOIE:           There's still one remaining question from LKFN.  
22          Should I ask that now or do we have to circle back?

23          ALAN EHRLICH:           No, you can ask that now.

24          ELISE DEVOIE:           Okay, perfect. So the last question, thank you  
03:15PM   25          for that response.

26                There was also the phrase "where possible", which appears in  
27          the report. So, for example, following the existing winter road alignment

03:16PM 1 where possible, or using fill only construction where possible.

2 I'm hoping that you could speak to both how you would

3 determine if it is or is not impossible to follow those constraints. I

4 understand this is a bit of the design phase. We need a little bit more

03:16PM 5 time to come up with a full proposal, but if you could just hint at what

6 that might look like. And then the second part of this, what measures

7 would be taken when it is deemed not possible to follow those initial

8 mitigation measures.

9 ALAN EHRLICH: Thanks. GNWT.

03:16PM 10 ERICA BONHOMME: Yeah, I'm going to pass that to Walter again.

11 WALTER ORR: Okay, thanks, Erica. Walter Orr here again.

12 When we use the term "where possible" in this area is, for instance, we

13 would say we're using fill only construction where we have materials to

14 do that. There are places where we may choose to do a cut and fill

03:16PM 15 design because materials allow that, because material availability in a

16 cut section allows that. For instance, coming down into a river crossing,

17 we will often have -- be required to do a cut, and the question is can we

18 use that material we have cut in the embankment and other places.

19 The geotechnical information that we're getting this upcoming year will

03:17PM 20 inform that decision.

21 So a lot of the terminology that we're using is because, as you

22 noted, the design has not been carried out to an advanced level at this

23 point. So we're saying this is the intention. As the design progresses,

24 we will be able to firm those questions up to in this location we're

03:17PM 25 planning to do this and such.

26 ALAN EHRLICH: Okay, thanks. LKFN.

27 ELISE DEVOIE: Elise here. Perfect, I appreciate that response.

03:18PM

1 And I guess we look forward to seeing exactly what those criteria might  
2 be, just to make sure that that all makes sense. Looking at the fill only  
3 construction in some areas, especially those with permafrost, it may  
4 prove that geotechnically that's not as feasible as it might at first glance  
5 look, so I'm happy to hear that this will be reconsidered after that  
6 geotechnical evaluation. And I am also happy to hear that there's that  
7 open communication for that second question with LKFN. I think I'll just  
8 highlight again that there was a long series of questions that we will  
9 submit for further review. And by doing that, we hope we can build  
10 more confidence in the project.

03:18PM

11 Yeah, I think if Trieneke has more to add than that, I think that's  
12 what I was hoping to ask in this section.

13 ALAN EHRLICH: Thanks. Trieneke.

03:19PM

14 TRIENEKE GASTMEIER: Sorry, Trieneke Gastmeier for Łíídlıı Kúę First  
15 Nation. No, I have nothing further to add. Thank you very much, Elise.

16 ELISE DEVOIE: Thanks for the responses.

03:19PM

17 ALAN EHRLICH: Thanks. And, you know, just connecting this  
18 conversation with the one we had on day one, I think the Review Board  
19 would remain interested in understanding the suitability of the terrain on  
20 an alternative route that is perhaps higher up from a permafrost  
21 perspective in comparison to the proposed corridor along the winter  
22 road. So any information you can give us on that would be helpful as  
23 well.

03:19PM

24 ERICA BONHOMME: Erica Bonhomme. Again, the GNWT really  
25 looks forward to reviewing that information when it's in receipt of that  
26 information. So if there's a line on a map somewhere that we can look  
27 at, then we can start those conversations and determine more closely

1           what we should do with that.

2           ALAN EHRLICH:           Okay, thanks. Anything else from LKFN on

3           permafrost?

4           DIETER CAZON:           Dieter Cazon, Łíídlıı Kúę First Nation. Not

03:20PM 5           at this moment. Thank you.

6           ALAN EHRLICH:           Thank you very much for that. The board really

7           looks forward to seeing the information requests that come from LKFN

8           on this subject. I am sure they are of interest to other parties as well.

9           Back to PKFN.

03:20PM 10          JOHN NISHI:           Jane Henderson for PKFN. Alan, at this point

11          we have a bit of a grab bag of questions, the kind that Erica is not

12          excited to get. So if there's themes that you want to identify, we can

13          jump in to where other peoples want to talk about. But we're coming to

14          the end of the time but we're jumping around a lot, so if you'd like to

03:21PM 15          conduct...

16          ALAN EHRLICH:           Okay, before we dive into the grab bag, I just

17          want to confirm if anyone else has any more permafrost questions.

18                  And I see Peter Unger from NRCan. Peter is just going to a

19          mike.

03:21PM 20          PETER UNGER:           Thank you very much. Peter Unger, Natural

21          Resources Canada. My question's related to excavations and

22          specifically to LKFN IR22.

23                  NRCan understands that to facilitate drainage and limit ponding,

24          it is mentioned that a mitigation technique is ditching where appropriate,

03:21PM 25          with grading. Could the GNWT please clarify what conditions are

26          appropriate for the use of these ditches. Thank you.

27          ERICA BONHOMME:       Erica Bonhomme. I'm going to pass that to

	1	Walter.
	2	WALTER ORR: Walter Orr, Kalo Stantec. The specifics of the
	3	ditching locations has not been determined at this point. As I've said,
	4	the status of the design is an early status which has not included the
03:22PM	5	evaluation of ditch grades, drainage culvert locations, and such like.
	6	However, I can say that in comparison to a more southern area where,
	7	for instances in the prairies in Alberta, you would have lengthy stretches
	8	where you have a long ditch line graded to a drainage culvert, a through
	9	culvert, this project will have a substantially higher number of drainage
03:23PM	10	culverts because effectively we don't really want to be doing very much
	11	ditching, because of the issues of subsurface conditions, potential
	12	permafrost. We do need to minimize ponding along the embankment,
	13	and this would be in the uphill side of the embankment. So there will be
	14	regular equalization/drainage culverts through the embankment along
03:23PM	15	the route to minimize the locations where ponding will be, and there will
	16	be some ditching along the embankment on that uphill side to make
	17	sure that the drainage will get to those culverts and not pond into other
	18	locations. That's the locations of the -- the places that we would have
	19	some ditching and some -- and culvert installation. We can't say where
03:24PM	20	that is specifically because, as I said, the design has not been
	21	advanced to the level where you would have that decision made.
	22	ALAN EHRLICH: Thank you, Walter. Back to you, Peter.
	23	PETER UNGER: Thank you very much. Is this something that
	24	we can get more detail on later, or is this coming way, way later, or is
03:24PM	25	there some set of conditions that will help you decide that that we can
	26	know? I'm not the permafrost expert, or the drainage expert at all; I'm
	27	just replacing him who's not online right now. But I was just curious if

1           there is an opportunity to get more information a little bit later, or is this  
2           coming right when it's construction. Thank you.

03:25PM   3           WALTER ORR:           The approximate time when you would see this  
4           would be somewhere in the 80 percent design where you've had --  
5           we've established where our alignment is going to be and where the  
6           route itself is going to be within that one-kilometre corridor or the  
7           widened corridor in those other locations, and we've moved along. So  
8           we're well before that. This is basically an assessment of a road -- a  
9           route within that corridor that's established. And potentially, as Erica  
03:25PM   10          said, outside of that. But we're a ways away from that particular level of  
11          design that we would be able to provide those drainage locations and  
12          culvert locations.

13          ALAN EHRLICH:           Thank you, Walter. I presume 80 percent  
14          design is likely after the environmental assessment. That would be my  
03:26PM   15          expectation. Peter.

16          WALTER ORR:           Well after the assessment, yeah.

17          PETER UNGER:           Peter Unger, Natural Resources Canada. No  
18          further questions. Thank you very much.

19          ALAN EHRLICH:           Thanks for that. Gwich'in Tribal Council.

03:26PM   20          KANDA KOLA GNAMA:   Thank you, Alan. I have two questions  
21          regarding permafrost to the GNWT, of course, yeah. Kanda Kola  
22          Gnama for the GTC, sorry about that.

23                 The climate change and [inaudible] assessment report, 232 on  
24          page 50, mentioned that permafrost warming is more at risk from  
03:26PM   25          shrubs and snow accumulation as compared to rising air temperatures.  
26          The 60-metre wide right of way therefore stands to substantially  
27          increase the risk of permafrost warming from snow accumulation and

1 shrubs as the right of way transitions to forest.

2 My first question, what is the likely shift in vegetation in the PDA  
3 and LLA towards shrub, and what are the anticipated changes to snow  
4 accumulation?

03:27PM 5 ERICA BONHOMME: Erica Bonhomme. That's not a question we can  
6 answer today. There's probably a series of IRs that have responded to  
7 information on level of changes to vegetation in the PDA. And there  
8 was also a question that -- IR that came in changes and response to  
9 fire.

03:28PM 10 We could say that in response to MVEIRB's IR2, that predictions  
11 about how climate change would affect vegetation are highly uncertain  
12 and certainly wouldn't be useful in the context of environmental  
13 assessment.

03:28PM 14 ALAN EHRLICH: Can the GNWT confirm that it will come back  
15 with more information in response to this question, at least pointing to  
16 where, if it's already answered this question on the public record, which  
17 documents they can look at, preferably within the next two weeks?

18 ERICA BONHOMME: I would just like to confirm what the question is.  
19 Is it changes to vegetation in the PDA and LAA due to climate change?

03:29PM 20 KANDA KOLA GNAMA: I will read it again so that you can get it. What  
21 is the likely shift in vegetation in the PDA and LAA towards shrubs, and  
22 what are the anticipated changes to snow accumulation?

03:29PM 23 ALAN EHRLICH: So just for clarity, the board remains very  
24 interested in ensuring that this project is designed not only for the  
25 climate that we have today, but for the climate that will exist throughout  
26 its operating life. The impacts, the physical impacts from a project  
27 typically aren't just from the project; they're how the project interacts



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1 with the surrounding environment and if the surrounding environment  
2 has changed over the 50, 100 year period, we want to be sure that the  
3 design, routing, construction, operation, of this project is suitable for the  
4 environment that exists at those points during operation and going  
5 forward. So I just want to point out that this project needs to be  
6 designed for the future environment that it will be in, not just for what's  
7 on the ground today.

03:30PM

8 ERICA BONHOMME: Erica Bonhomme. That is a different topic  
9 entirely, and if you want us to answer that, I know Walter Orr would be  
10 prepared respond to how the design considers predictions and changes  
11 to climate.

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12 I would point out, just following up on the GTC question, the right  
13 of way is going to be cleared. So there won't be any shrubs in the right  
14 of way permanently because the right of way will be cleared. So -- and  
15 will be regularly mowed. So just to help set the stage for that as well.

16 ALAN EHRLICH: Okay. And so I'll point out that, no, this is a  
17 related topic, and I would like Walter to respond to it but only after GTC  
18 has finished its questions.

03:31PM

19 KANDA KOLA GNAMA: Thank you, Alan. Kanda Kola Gnama for the  
20 GTC. My second question is how will the permafrost protection plan  
21 address this acknowledged risk and residual effects within the right of  
22 way? But I believe your answer covers that, so I will be interested to  
23 hear what you have to say for Alan's question. Thanks.

24 ALAN EHRLICH: Okay. Walter, please go ahead.

03:31PM

25 WALTER ORR: Walter Orr. Speaking from the standpoint of a  
26 designer and in the context of the permafrost protection plan, we have  
27 designed from the standpoint of climate change for things that are

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1 knowable or projectable in the road design. These things are such  
2 things like warmer climate causing warm -- ground warming. We  
3 project our embankment design is to address those particular things in  
4 drainage and runoff design, both for bridges, other crossing structures.

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5 The design incorporates an increase in future rainfalls and runoff  
6 events, anticipating the increase in the peak flow events with time, so  
7 we incorporate that in the design process. So the design process as  
8 it -- and is open to in the permafrost protection plan and in the IR  
9 responses on this item, we utilized the best available projections to -- for  
10 the geometric and the embankment geotechnical and the crossings for  
11 the road. So the -- although these are projections, none of us can say  
12 exactly what's going to happen in the future, we use the best available  
13 data and regulatory documents on that, and that's the process that's  
14 followed.

03:34PM

15 ALAN EHRLICH: Okay, thanks. Any more questions related to  
16 permafrost or climate change? PKFN.

03:34PM

17 JOHN NISHI: Jane Henderson for PKFN. We're still wrapping  
18 our heads around the idea that permafrost is not a design constraint. I  
19 think we're watching up that I think what you're saying is that your  
20 designers can design around any permafrost there; like, you can build a  
21 road with permafrost. But I guess where PKFN is looking at it is we've  
22 had many conversations about how critical it is to protect -- I mean,  
23 internally about how critical it is to members to protect permafrost from  
24 a climate change perspective.

03:34PM

25 So when -- could you clarify when you say that protecting perma  
26 -- like, permafrost is not a design constraint, is not protecting permafrost  
27 a goal -- to reduce climate change impacts, is that not a goal of the

1 project or an objective of the project such that avoiding -- like, protecting  
2 permafrost becomes part of the design goals? Does my question make  
3 sense? Thank you.

03:35PM

4 ERICA BONHOMME: Erica Bonhomme. I understand the conundrum  
5 or maybe the -- how this is looked at from the designer's perspective or  
6 the owner's perspective, which is -- and Ed said this prior in our -- one  
7 of our exchanges, is that permafrost in and of itself is a temperature  
8 condition. So we need to stop thinking of permafrost as something that  
9 is bad or something that is good. It simply reflects the thermal condition  
10 of the ground, the temperature of the ground. It's, you know, less than  
11 zero degrees for two years or more.

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12 We're more interested in the types of soil that exist in that frozen  
13 ground. So if the ground is below zero, does it have ice in it? And  
14 that's what we really want to mitigate for where it might protect -- where  
15 it might influence the integrity of the highway. So the number one factor  
16 for GNWT in designing a highway is public safety, number one.

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17 So environmentalists -- I don't want to make it seem less, but  
18 public safety, human safety, is the number one. The designers need to  
19 design a safe highway. So protecting the ice and -- or soils that are  
20 sensitive to thaw or erosion or other type of failure, let's say, is  
21 important where it could affect the integrity of the highway. So  
22 switching the thinking from we need to protect permafrost to we need to  
23 protect the highway from the effects of soils that may be within  
24 permafrost is, you know, the type of thinking we have to work around.

03:36PM

25 And that those conditions don't exist everywhere. We don't have a  
26 continuous -- I mean, I know that I am paraphrasing from our design  
27 team here, and the information that has been presented in the DAR -- is

03:37PM

1 that there isn't a continuous section of this highway where the team  
2 expects that there's going to be a need to, you know, implement  
3 considerable mitigations for that integrity to be maintained. It's going to  
4 be at certain locations.

03:38PM 5 So I hope -- I wonder if that helps a little bit in just shifting the  
6 thinking from protecting the permafrost to protecting the highway where  
7 those sensitive soils exist.

8 ALAN EHRLICH: Thanks, Erica. Actually it's another interrelated  
9 suite of issues. I understand from the developer's perspective it's partly  
03:38PM 10 about protecting the highway and, yes, there's a terminology issue.  
11 When I've been referring to permafrost I've been implying ice-rich  
12 permafrost, so let me make that part clear. But if there are slumping  
13 issues that affect a highway, that not only makes a potential public  
14 safety hazard, that also can drastically increase the maintenance cost  
03:38PM 15 of the highway, and that same slumping can go into surface waters,  
16 which can affect fish which can also affect people who harvest  
17 downstream and who might have cabins and good harvesting areas  
18 downstream, who are the same people who are an increased safety  
19 risk from failures of the highway. In other words, this links many of the  
03:39PM 20 issues that we've talked about and in a climate that is warming, it is  
21 important that this is all considered in design. Because if we can avoid  
22 these problems, they're problems that everyone in the room would love  
23 to avoid partly, as people who have a close relationship to the land and  
24 who harvest and rely on it for their food, but also as people who have to  
03:39PM 25 maintain the highway and have to get money to maintain the highway  
26 and to -- you know, all the interests converge here. And so that's partly  
27 why we're trying to put some time, even though we're on a tight

03:40PM

1 schedule, but this is more than just a highway maintenance issue from  
2 the perspective, I think, of the board and the parties we've heard from.  
3 But I don't deny that there is a highway maintenance aspect to it. But  
4 there's a suite of interconnected impacts here that are of interest to  
5 many people. Back to PKFN.

6 JANE HENDERSON: I think for the moment -- Jane for PKFN. Alan, I  
7 think that we're here for the moment [inaudible] to others is fine.

8 ALAN EHRLICH: Okay. I'm going to do a last call for permafrost  
9 issues. But before that, Erica.

03:40PM

10 ERICA BONHOMME: Erica Bonhomme. This is a really -- I echo that  
11 this is a really important topic, and it's fundamental in the road design,  
12 and if there's anything that, you know, would be helpful for GNWT to --  
13 during our engagement with any of the groups, if you would like to, you  
14 know, hear more about this, discuss this topic specifically, we are happy  
15 to bring our road designers and experts along to help make that easier  
16 to understand and provide some comfort in the way that that work is  
17 done.

03:40PM

18 ALAN EHRLICH: Thank you very much for that, Erica. We do  
19 appreciate that.

03:41PM

20 Any more questions on permafrost. All right, if there are  
21 questions that occur after this, don't forget the information requests are  
22 an open opportunity to ask stuff that's relevant to the impacts of the  
23 proposed highway.

03:41PM

24 How about on climate change and the highway? All right, this  
25 is -- includes potential impacts of climate change on the highway, which  
26 relates to failures and malfunctions which we talked about a bit in some  
27 of the questions related to spills. We talked a bit about this on day one

03:42PM

1 as well. But there's an opportunity here, if anyone has anything else  
2 they want to add on that. We've also heard how the highway is partly a  
3 mitigation to some problems that are posed by climate change that, to  
4 date, including some very urgent ones. Anything else on that topic  
5 people have questions of? Going, going, gone.

6 Okay, the board may have questions in IRs for that. Again, it's  
7 late in the day; I can see people are prioritizing, that's okay.

03:42PM

8 Okay. So now I want to throw this open to the remaining topics  
9 that we've got. We've started with some fish and fish habitat, and DFO  
10 graciously said we can hold off on that a little bit. And we know PKFN  
11 has a grab bag of other questions they want to get to. Let's go to DFO.

12 TATIANA LECLERC: Tatiana Leclerc, DFO. Just confirming, we're  
13 not doing the presentation for fish. There's not going to be a  
14 presentation?

03:43PM

15 ALAN EHRLICH: DFO, have you read the developer's  
16 submissions and their predicted impacts on fish and fisheries?

17 TATIANA LECLERC: Tatiana Leclerc. Yes.

03:43PM

18 ALAN EHRLICH: Is there anyone in the room who would right  
19 now -- who has not and would like to see the developer's presentation  
20 on their potential impacts on fish and fisheries? If so, that's okay, we  
21 can ask them to do it. Just looking around the room. Anyone?

03:43PM

22 Okay. So what I'd request is that your presentation on this, if it's  
23 not already on our public registry, please submit the presentations to  
24 the public registry, because I'm sure they're going to be helpful for parties  
25 to refer to, perhaps during the IR phase, but in the interest of time, if it's  
26 all right with you, we would like to just keep on going with the  
27 discussion.

03:44PM 1 SETH BOHNET: Seth Bohnet, GNWT. That is certainly  
2 something that I can do.

3 ALAN EHRLICH: Thank you very much. I appreciate you trying to  
4 accommodate the time constraints. Okay, so DFO, over to you.

03:44PM 5 TATIANA LECLERC: Tatiana Leclerc, DFO. Thank you. So my -- it's  
6 more of a comment. It's more about engagement than actual technical  
7 question about fish. So this proposal is probably going to require a  
8 Fisheries Act authorization in the future because there is going to be  
9 about 90 culverts installed, and there's some risks -- there is going to be  
10 some habitat -- fish habitat lost at that those culverts and also some  
11 risks of the culverts preventing fish passage so that's risk. As part of the  
12 authorization, we're going to be needing baseline data for which  
13 crossings, final designs, monitoring plans, and offsetting. Some of that  
14 is already included in the DAR. But as for other IRs, we did request  
03:45PM 15 some compiled baseline data for each of the crossings and some  
16 additional monitoring. Right now, they have culvert inspections, and we  
17 were kind of requiring more fish monitoring than velocity monitoring,  
18 and to provide some ideas of offsetting for the Fisheries Act  
19 authorization.

03:45PM 20 The response we got was that that would be provided to us  
21 during the Fisheries Act authorization process, which is fine, but all of  
22 those components are going to be -- we're going to need to be  
23 consulting on under the Fisheries Act and I think it would be beneficial  
24 to discuss the subject to have those documents before and to -- for  
03:46PM 25 everyone to discuss those documents before they actually get to DFO.  
26 So I don't really know when that would be. But that would increase  
27 transparency, and it could prevent some surprises during oral

1 consultation and then save on time, and then we could get involvement  
2 from other groups at an earlier -- from impacted groups at an earlier  
3 time. For example, if they would like to be involved in monitoring.

03:46PM 4 So I guess, if you wanted to make this a question it would be for  
5 everyone to see if it's -- if there would be an interest to getting those  
6 documents before they actually get to us for the Fisheries Act  
7 authorization, like for engagement. And that could be, like, during a  
8 working group or something. I don't know. And if GNWT would be  
9 open to engaging on those documents before you actually submit it to  
03:47PM 10 DFO as part of the FAA. So I'm talking like baseline compilation of  
11 data, a more thorough monitoring, response plans for each culvert, a  
12 conceptual offsetting plan.

13 CATHERINE FAIRBAIRN: GNWT, can you comment on when you plan to  
14 get those documents out and then if other parties have comments on  
03:47PM 15 when they would find that information I guess helpful to review, that  
16 would be helpful as well.

17 SETH BOHNET: Seth Bohnet, GNWT. So the information that is  
18 being specifically alluded to and requested is and will help form, of  
19 course, the authorization application and submission. GNWT does  
03:47PM 20 engage, and will continue to engage, to inform that application and will  
21 involve communities, make sure that they have an opportunity to review  
22 and inform. Just to be certain, though, the timing of that work, we do  
23 not yet have design completed so we do have to have the design to a  
24 point where we're ready to apply for that authorization, so that will be  
03:48PM 25 forthcoming.

26 ALAN EHRLICH: Thanks. DFO.

27 TATIANA LECLERC: Tatiana Leclerc. So just to clarify, will you be



1 submitting your FAA package to the public for review before it comes to  
2 us?

03:48PM

3 ERICA BONHOMME: Erica Bonhomme. So as was indicated in the  
4 IR response, the GNWT needs to have an alignment confirmed before it  
5 can finish all of its fish -- fish and fish habitat assessments that inform  
6 the hydrotechnical assessment that inform the hydrotechnical designs  
7 of the crossings. And it's not until that point that we have the  
8 information, the detail, the metrics, everything that's needed to go into  
9 that application package. So we're nowhere close to that right now. I  
10 mean, there is information that's been collected. It's all been submitted  
11 already in terms of the habitat assessments that have been done, but  
12 there's a lot more to do and it won't be completed until we have  
13 confidence that the alignment is locked down, at least within a  
14 one-kilometre corridor.

03:49PM

15 So the GNWT would absolutely engage on the types of things  
16 that are -- would be needed to support that application. So I don't think  
17 it's a question of putting together an application package and dropping it  
18 on Indigenous groups to review and provide comment. That wouldn't be  
19 GNWT's intent. It would be to involve them as we have throughout this  
20 process in developing those kinds of information. So we've talked  
21 about monitoring, we've talked about -- certainly we've worked with  
22 communities on doing those actuals, fish and fish habitat assessments,  
23 and if there was -- once we have some sort of order of magnitude for  
24 the offsetting, then that would be part of that engagement as well. But I  
25 don't think we're there yet.

03:50PM

03:50PM

26 ALAN EHRLICH: DFO. DFO, is there a commitment you seek or  
27 just more information you're looking for?

03:51PM

1 TATIANA LECLERC: That's fine, I'm done. Thank you. Tatiana.

2 ALAN EHRLICH: Okay, thanks very much. So I think what I'd like  
3 to do, the topics that we haven't directly explored, although we have  
4 indirectly explored some of these, include air quality, noise, vegetation,  
5 and there's more on climate change. And, you know, I kind of like the  
6 grab bag approach that at this point PKFN has said let you guys  
7 prioritize which things you want to speak to. You know, we've got a bit  
8 of time left, and so I just want to kind of open it up for those remaining  
9 topics. PKFN, you've indicated you have more, so please go ahead.

03:51PM

10 JANE HENDERSON: Jane Henderson for PKFN. Thanks, Alan.

11 So returning now to two questions going back to the predicted  
12 increase of -- well, what PKFN predicts as increased fishing at river and  
13 creek mouths because of opening access.

03:52PM

14 So the first question is why has the developer not considered  
15 mitigation measures restricting access from the all-weather road to the  
16 mouths and creeks in rivers by, for example, implementing  
17 nontraditional fishing restrictions, avoiding boat launches, or building  
18 gates.

03:52PM

19 I recognize that question was partially answered when you gave  
20 examples of, for example, not, you know, designing -- road design, like  
21 not having permits near the water outflows. Have you considered  
22 restrictions such as nontraditional fishing registrations, avoiding boat  
23 launches, or building gates?

03:52PM

24 ALAN EHRLICH: GNWT.

25 SETH BOHNET: Seth Bohnet, GNWT. Sorry, Jane, can you  
26 restate your question just so I understand perfectly well. I apologize.

27 JANE HENDERSON: Jane Henderson, PKFN. So as we said before,

03:53PM

1 PKFN is extremely concerned about increased fishing by out of area  
2 users once the road goes through and there's access opened up  
3 year-round. One of the main concerns about the route is, because the  
4 existing bridges are so close to the outflows, they're great fish  
5 harvesting sites and the bridges makes access -- makes angling  
6 convenient. So there's concerns about increased fishing and other  
7 impacts from increased human presence in those areas. You explained  
8 that there's some mitigations suggested already considered by GNWT  
9 such as not having pull-outs near those locations. Members have  
10 suggested other measures like having restrictions, nontraditional fishing  
11 restrictions, by not having boat launches, or even by building gates in  
12 these areas. Have anything like that been considered or if not, what  
13 other things have been considered? Does that make sense?

03:53PM

14 SETH BOHNET:

Seth Bohnet, GNWT. Thanks for the

03:54PM

15 clarification. So there's two different aspects there that I think we could  
16 touch on. One is around, again, the actual design of the road. And as  
17 stated, there are things that we can implement. So as Erica alluded to  
18 earlier, there are needs for pull-outs and where we locate them, there's  
19 opportunities to help inform that. I don't believe the project proposes  
20 any boat launches or gates or restricting access to anything of that  
21 nature. So I think that's already been addressed in the design. But if  
22 there's areas of particular concern, we're happy to talk about that.

03:54PM

23 And then the second piece is around the recommendation to  
24 restrict, I believe it's non-Indigenous fish harvesting. That's not  
25 something that we have entertained. It's not something we're  
26 proposing. Again, we don't, at this point in time, believe there's a need  
27 to do that. But we're, again, happy to work with the local governments

03:55PM

1 and organizations to identify whether or not there's additional monitoring  
2 that needs to take place to inform changes over time.

3 ALAN EHRLICH: Thanks. Pehdzeh Ki.

4 JANE HENDERSON: Jane Henderson for Pehdzeh Ki First Nation.

03:55PM 5 The next question is about dust and air quality. So Pehdzeh Ki First  
6 Nation is very concerned about impacts on air quality because of the  
7 dust of an all-season highway use. PKFN understands that the route  
8 would not be chip sealed and part of the reason that PKFN suggests a  
9 higher alignment is that it would be able to be chip sealed. So could  
03:56PM 10 you confirm that there will or will not -- will the alignment be chip sealed  
11 and if not, how will dust be managed if it's left as a gravel surface?

12 ERICA BONHOMME: Erica Bonhomme. No, the highway is not  
13 proposed to be chip sealed, and I think Walter can elaborate on why.  
14 But the second is the GNWT will use dust control during operations. So  
03:56PM 15 it uses a calcium chloride application approximately every two years to  
16 control dust, and that's consistent with the other nonchip sealed  
17 highways in the NWT.

18 JANE HENDERSON: Thanks, Erica. Jane Henderson for PKFN.  
19 What is the predictions for the impacts or the effectiveness of that dust  
03:57PM 20 control. A major issue for PKFN and concern is that increased dust will  
21 be generated and go into the Deh Cho where there's already  
22 sedimentation issues. So Erica, can you say a little bit more about how  
23 the dust control measure that's recommended would affect that; how  
24 effective you think it would be.

03:57PM 25 ERICA BONHOMME: Yeah, I do recall we did provide a response to  
26 this, to the MVEIRB, that very question about how is dust control  
27 applied and what are -- how does it mitigate -- how is it done so it's

1 protective of aquatic environments. And that was in response to  
2 MVEIRB IR73. So maybe just if there's anything to follow up on that,  
3 we'll be happy to do that.

03:58PM 4 ALAN EHRLICH: Okay, thanks. PKFN again.

5 JANE HENDERSON: Jumping topics now. Jane for PKFN. So this is  
6 a follow-up to what we discussed earlier today. We were talking about  
7 PKFN's concerns that their particular hunting grounds near -- between  
8 -- around Dam Creek were not addressed, things that were raised in the  
9 PDR were not addressed in the DAR.

03:58PM 10 The response from the developer was that there were nine  
11 optimizations recommended and that eight of the nine optimizations  
12 recommended in the PDR were implemented. This is more of a  
13 comment than a question.

03:58PM 14 PKFN wants to -- would like to know that the changes that  
15 were made were still within the one-kilometre corridor, and they all still  
16 cross the hunting ground that was identified in the PDR as the concern  
17 -- as identified in the PDR at page 71 and page 72. So while I  
18 understand that, you know, optimizations were made, from PKFN's  
19 perspective is it still crossing a sensitive area and a hunting ground  
20 and an insufficient accommodation.

03:59PM 21 ERICA BONHOMME: Erica Bonhomme. Thank you. We do have  
22 that information in the PDR, and that's been noted. Thank you.

23 ALAN EHRLICH: Sorry, Erica, unless I'm mistaken, I think there  
24 was a question involved in there. It's not just about information. It's that  
25 are you still planning on crossing those sensitive hunting grounds; is  
26 that correct, PKFN?

03:59PM 27 JANE HENDERSON: I guess it's a double-barrelled question, where,

03:59PM

1 for one, is it still planned that that hunting ground will be crossed, and  
2 also, you know, it limits -- it doesn't inspire confidence for PKFN when  
3 those recommendations were made 12 years ago and the adaptation  
4 that was made -- you know, that came out of the PDR, the PDR itself  
5 chose eight out of nine optimizations but they still cross a hunting  
6 ground. So in terms of improving -- you know, improving confidence  
7 that the conversations do have conversations and the plans do have  
8 plans will integrate the request that PKFN is making, how can PKFN  
9 have greater confidence?

04:00PM

10 ALAN EHRLICH: So PKFN, your question is how can you have  
11 greater confidence?

04:00PM

12 JANE HENDERSON: I guess it's difficult to phrase that one as a  
13 question. It's really more of a comment that, you know, 12 years ago  
14 the concern was raised and coming out of the DAR it was not met and  
15 coming out of the PDR it was not particularly well met, going into the  
16 DAR nothing has changed, and so when we receive, in these three  
17 days, a lot of assurances that there will be future accommodations, you  
18 know, I'm just noting that the baseline of accommodation is, so far from  
19 PKFN's perspective, poor, and the -- so that was more of a comment.

04:00PM

20 The question was, as you noted, is the intention still to cross that  
21 hunting ground?

22 ALAN EHRLICH: Okay. Thanks. I see that, you know, GNWT is  
23 listening carefully so I'm sure they received the message, but in terms  
24 of responding to the question, please go ahead, GNWT.

04:01PM

25 SETH BOHNET: Seth Bohnet, GNWT. So the corridor does still  
26 traverse that area. I do want to point out, though, that the optimizations  
27 that were incorporated at that time were fully informed by PKFN

04:01PM 1 involvement and, at that time, PKFN did approve of those design  
2 changes. And to the extent possible, again, moving forward, we're open  
3 to having continued discussions on where we can find some additional  
4 areas to make those adjustments. So I think our work together over the  
5 last little while speaks volumes towards that and, again, looking forward  
6 to follow-up conversations on it.

7 ALAN EHRLICH: Thank you. PKFN.

8 JANE HENDERSON: Jane Henderson for PKFN. Thank you.  
9 Jumping to another topic -- oh, forgive me.

04:02PM 10 It would be helpful for PKFN if you could clarify, we talk a lot  
11 about the one-kilometre corridor, but what is the proposed width of the  
12 footprint of the eventual highway -- the right of way?

13 SETH BOHNET: Seth Bohnet, GNWT. So the right of way for  
14 the highway, once completed, would be 60 meters.

04:02PM 15 ALAN EHRLICH: Thanks. PKFN.

16 JANE HENDERSON: Jane for PKFN. Alan, I am going to scan and  
17 see if I have anything left in the grab bag and I request that you turn the  
18 floor to other people at this time.

19 ALAN EHRLICH: Actually what I would like to do is take a five  
04:02PM 20 minute break. That is, indeed, a five minute break. We want to look at  
21 the sort of undertaking type things and see which ones we've actually  
22 made progress on, now which ones we can wait to follow up on  
23 electronically, because if there's answers to stuff here that we've asked  
24 people to get answer for we while we're here, we want to be able to  
04:03PM 25 figure that out. But I thank everyone for the efforts you're making to  
26 prioritize and do our best with the time.

27 So five minute break. We'll see you again in five minutes.

04:13PM 1 - SHORT BREAK -

2 ALAN EHRLICH: All right. The next questions that we have --

3 that break was tactical. We were trying to figure out which stuff we

4 have to address during the session and which were better in the record.

5 We're going to go to Health Canada next, which has a few

6 questions related to air quality. Please go ahead.

7 AYESHA SOHAIL: Hello. My name is Ayesha Sohail. I'm coming

8 from Health Canada. A few clarification questions, which hopefully

9 shouldn't take too, too long. So to begin with, as a part of air quality

04:14PM 10 mitigation measures in response to preliminary IR HC07, the proponent

11 indicated that the project will avoid or reduce dust-generating activities

12 when wind speeds and directions causes safety concerns due to

13 reduced visibility.

14 Now, my question is: What are the thresholds that will trigger

04:14PM 15 these reduced activities?

16 So, for example, another mitigation measure in response to the

17 same IR HC07 is to reduce vehicle speed near sensitive receptors. So

18 what we're kind of trying to get at is how would those sensitive receptors

19 be identified? Would there be postage, for example, for construction

04:14PM 20 vehicles and things like that..

21 ALAN EHRLICH: Thank you. GNWT.

22 SETH BOHNET: Sorry. Seth Bohnet, GNWT. Can you confirm

23 which IR that was again, please.

24 AYESHA SOHAIL: Yeah, that was preliminary IRHC07.

04:15PM 25 SETH BOHNET: Seth Bohnet, GNWT. Just to clarify, are you

26 speaking to the online review system comments or an actual FIR?

27 AYESHA SOHAIL: No, I am referring to the review system



1           comments.

2           ERICA BONHOMME:       So Erica Bonhomme. HC7 refers to the

3           construction phase. That's one thing to just provide clarification on.

4           And one -- the speed of construction vehicles, the GNWT's committed

04:15PM 5           to keeping vehicle speeds or restricting construction vehicle speeds

6           to 50 kilometres per hour when travelling on project roads.

7                       And I think you maybe had a question about wind speeds and

8           wind direction. My colleague Samuel Lacrampe is here, and maybe he

9           has something more to offer on that.

04:16PM 10          SAMUEL LACRAMPE:       Hello. Samuel Lacrampe with Kalo Stantec

11          here. So part of the adaptive air quality management plan that will be

12          part of the mitigation in addition to the preliminary mitigations already

13          planned, it's part of the dust control plan will be a visual monitoring, so I

14          believe it will be a bit of an interactive case basis, you know. It's due to

04:17PM 15          many factors, like as to wind speed, wind direction, and the type of

16          mechanical impact that will affect it. It's going to be kind of on a

17          case-by-case. If the visible dust plume gets reduced, then that would

18          be sufficient; and if not, we'll have to react accordingly.

19          ALAN EHRLICH:           Thanks. Health Canada.

04:17PM 20          AYESHA SOHAIL:           Yeah. Ayesha Sohail for Health Canada. So

21          another part of that question was reducing speeds near sensitive

22          receptors. My question was how would those sensitive receptors be

23          identified? I'm looking specifically to see if there is signage and things

24          like that that you're planning on doing.

04:17PM 25          ALAN EHRLICH:           Thanks. GNWT.

26          SAMUEL LACRAMPE:       Samuel with Kalo Stantec as well. So one of

27          them is, again, due to that visual monitoring that everybody can

04:18PM 1 participate in -- okay -- mostly, and we're considering mostly community  
2 receptors.

3 Another one is we have identified -- sorry. Some of the most  
4 impacted receptors, one of them is located, like, 350 metres away at  
5 the closest part of the construction site. That's somewhere in Wrigley,  
6 north of Wrigley, okay. So that would be an indication as well, very  
7 likely due to -- you know, distance is a large function of this. That  
8 nearest distance is very likely going to be one of those receptors if we  
9 were to predict where they would be.

04:18PM 10 ALAN EHRLICH: Thank you. Ayesha Sohail.

11 AYESHA SOHAIL: Ayesha Sohail for Health Canada. I'll move on  
12 to a different question. So that was talking about the construction  
13 phase. Let's move on to after the construction phase.

04:19PM 14 So in response to Health Canada IR number 8 during the, again,  
15 the preliminary IR phase, the proponent has not discussed the residual  
16 effects to human health from changes to air quality over time. Could  
17 you describe monitoring once the construction phase of the highway is  
18 complete.

04:19PM 19 ERICA BONHOMME: Erica Bonhomme. We had an IR -- responded  
20 to an IR on this, so I think that that may have been a preliminary  
21 Health Canada 8. But there was an information request specific to what  
22 kind of monitoring GNWT would be doing for air quality. We're just  
23 tracking that information request response down, and maybe we'll  
24 provide you that and see if that works.

04:20PM 25 ALAN EHRLICH: Thank you. Health Canada.

26 AYESHA SOHAIL: Okay. Continuing on with -- Ayesha Sohail  
27 for Health Canada. We'll wait for you guys to get back to us on that.

04:20PM

1                   One more question, moving on to another sort of topic under air  
2                   quality here. So for our IR round 1, Health Canada IR number 2, your  
3                   response states that -- and we note that there are limitations to air  
4                   dispersion monitoring. The alternatives that you've proposed in  
5                   response to Health Canada IR2 and the preliminary IRs is not  
6                   recommended by Health Canada. So what I mean is that Health  
7                   Canada does not support the use of the National Pollutant Release  
8                   Inventory reporting thresholds as levels below which no health effects  
9                   exist. The NPRI website itself confirms that its data is insufficient to  
10                  assess potential environmental and health risks posed by air pollutants.

04:21PM

11                  So our question is around, you know, do you have some  
12                  reasoning to provide, some scientific evidence, to support this method  
13                  for assessing the effects on air quality and human health that is contrary  
14                  to the perspectives of the NPRI.

04:22PM

15                  SAMUEL LACRAMPE:     Hi, Samuel with Kalo Stantec here. So this has  
16                  been addressed as part of the IRs. I can just list them out here, and  
17                  then I will also summarize it after.

04:22PM

18                  So beyond the questions on why use the NPRI approach versus  
19                  the Health Canada approach, the IR questions would have been  
20                  CanNor 22, CanNor 24, CanNor 26, and HC2. You know, to some  
21                  extent, all those were related.

04:22PM

22                  Now I will summarize our response right now. So the Health  
23                  Canada approach, guidance approach is a receptor-based, whereas  
24                  what we did is an NPRI approach which is emission-based.

25                  The reason that we believe that the receptor base was not really  
26                  suitable, so there's a couple reasons. One is that the receptor-based is  
27                  only suitable for large emitters, such as industrial facilities with exhaust

04:23PM 1 stacks, which would be stationary -- you know, they're not moving  
2 around -- and long-term, right. It's based on statistics which can only be  
3 accurate in the long-term, whereas when it comes to highway  
4 construction projects, we're talking about those are relatively low  
5 emissions, mobile, temporary, and transient.

04:23PM 6 After that, the closest receptor is going to be at -- for the closest  
7 portion of the construction site would only be 350 metres away, which  
8 is, fair enough, within the one-kilometre dispersion part of our LAA. But  
9 that would only be for seven days or around seven days. After that, it  
10 would be -- the construction site would be too far from the dispersion  
11 limit.

04:24PM 12 And, finally, sure, there are a couple stationary sources, like at  
13 the quarries. But even those, these are low emitters as well compared  
14 to large industrial facilities.

04:24PM 15 And the only one that's located within the one-kilometre  
16 dispersion limit is the one south of Wrigley, and that one is still a  
17 temporary quarry anyways; it's not going to operate for too long. We're  
18 sort of anticipating it might operate up to perhaps 130 days. After that,  
19 it might not be as operational for the project.

04:24PM 20 ALAN EHRLICH: Okay. Thank you. Ayesha.

21 AYESHA SOHAIL: Okay. Ayesha Sohail  
22 for Health Canada. I would just like to just restate that Health Canada  
23 does not support the use of the NPRI, the National Pollutant Release  
24 Inventory reporting thresholds, as levels below which no health effects  
25 exist.

04:24PM 26 And I will leave it at that. Thank you very much.

27 ALAN EHRLICH: Okay. Thank you very much. And we thank

04:25PM 1 Health Canada for taking part in the session and for the last three days  
2 having observed all of the discussions, many of which relate to health,  
3 some directly, some indirectly. So thank you for coming.

4 Okay. Now we're going to go back to PKFN which still has a  
04:25PM 5 couple more questions, and then the Gwich'in Tribal Council which has  
6 a question on invasive plants. PKFN.

7 JANE HENDERSON: Jane Henderson for PKFN. We have three final  
8 questions unless there's additional follow-up. So starting with the first  
9 one, we are returning to what we returned to earlier this afternoon.

04:25PM 10 So, Seth, you described that the route through the habitat and  
11 hunting ground between Strawberry Creek and Dam Creek as  
12 described in the -- at the PDR at 71, 72 was optimized with PKFN's  
13 input and engagement.

14 So this is what we talked about twice today. We were talking  
04:25PM 15 about there's this -- there's the habitat and hunting ground; the route  
16 goes through it; there were nine optimizations suggested in the PDR,  
17 eight of which are adopted.

18 Seth, when you responded to that to say that, you know, the  
19 optimizations -- as you responded, it sounded like you were saying that  
04:26PM 20 those optimizations were all done with PKFN's input, and it really  
21 sounded like you were suggesting with PKFN's approval.

22 PKFN disagrees and states that the First Nation has never  
23 agreed to the proposed one-kilometre corridor and consistently asked  
24 for the route to be moved farther away from the Deh Cho and including  
04:26PM 25 outside that hunting ground.

26 That's really actually not a question, I realize. That is a  
27 comment.

04:26PM

1 Moving on to number 2. Here I would like to talk about the failure  
2 to consider future development in the cumulative impacts assessment,  
3 jumping back to yesterday. We talked about this I believe the first day  
4 and definitely yesterday. PKFN echos the concerns that were shared  
5 by some others in the room, but we have a specific question on this.

04:27PM

6 So PKFN is concerned that the developer's criteria for  
7 reasonably foreseeable development is incorrect. As the DAR states  
8 and as GNWT confirmed yesterday, your perspective is that the only  
9 future developments that need to be considered in a cumulative effects  
10 assessment are developments that have authorizations that they need  
11 or in the process of getting them or projects that developers have  
12 publicly announced that they intend to pursue. The developer has  
13 stated that to consider anything else is unhelpful speculation; however,  
14 a plain reading of the Review Board's 2004 guidance does not  
15 necessarily match this interpretation. Looking at the guidelines, they  
16 say on page 81 and 82 that developments that have not been proposed  
17 or announced but can reasonably be foreseen should be included in the  
18 assessment. For example, it says:

04:27PM

04:27PM

19 A developer proposing a pipeline through a  
20 previously-inaccessible area with little existing development should  
21 consider reasonably foreseeable future developments which could be  
22 determined by looking at other comparable developments in areas with  
23 similar characteristics.

04:28PM

24 The guidance acknowledges that there are uncertainties and  
25 says those uncertainties should be made clear saying that developers  
26 are not expected to see the future but are expected to make the best  
27 reasonable predictions they can.

1                   So a plain reading of that guidance says that it is open wider than  
2                   just projects that are in process or, you know, in the regular -- or have  
3                   stated their intentions. It says you can look to analogous situations to  
4                   consider reasonable predictions.

04:28PM   5                   So the question is could we request your legal authorities for the  
6                   standard of reasonable -- reasonably foreseeable induced effects that  
7                   GNWT is applying. Obviously not at the moment.

8           SETH BOHNET:           Sorry. Just for clarification, I misheard the last  
9                   little bit there. Can you just rephrase the actual question, please.

04:29PM   10           JANE HENDERSON:       The question is we don't expect you to do this  
11                   on the spot, so we're requesting your follow-up to provide the legal  
12                   authorities for the standard of reasonably foreseeable induced effects  
13                   that are being applied in the DAR.

04:29PM   14           ERICA BONHOMME:       Erica Bonhomme. I don't think it's the  
15                   developer's, you know, purview to interpret how the Review Board views  
16                   its guidelines or any legal authority. It has defended its use of how it's  
17                   selected its reasonably foreseeable activities. And how -- moreover,  
18                   what's more important is how it selected the projects that are expected  
19                   to have residual effects that will interact with those of the project. And  
04:30PM   20                   that's they key. If you have a project that interacts in space and time  
21                   with those of the effects of the project, it's a reasonable candidate. And  
22                   it's not helpful to speculate about all sorts of things that could happen  
23                   maybe here, there, and in the future. And as I said previously, there  
24                   have been lots of examples, even in the 2015 business case where it  
04:30PM   25                   was elaborated on all sorts of oil and gas scenarios that might happen  
26                   and economic outputs of that that just simply did not materialize.

27                   So if there is information that we know -- and I'm sure we could

04:31PM 1 talk all day about this, because I see Alan squirming. You know, it has  
2 to be something we can measure, right? Can we say something about  
3 it? It's not helpful to speculate about things that just won't happen.

4 So GNWT's unlikely to get into a debate over interpretation of EA  
04:31PM 5 practice. What the GNWT will do is stand behind the approach that it's  
6 used.

7 ALAN EHRLICH: Thanks, Erica.

8 Again, rather than get in depth on this, I point out that, one, the  
9 facilitator does not squirm. The facilitator communicates using body  
04:31PM 10 language as well as words. Second, I can say with some confidence  
11 that the Board will follow its environmental impact assessment  
12 guidelines when making its decisions about environmental impact  
13 assessment.

14 Next question, please.

04:31PM 15 JANE HENDERSON: I submit that as the GNWT is the developer it's  
16 more than appropriate to request the legal authorities that the  
17 government is using on its projects.

18 The --

04:32PM 19 ALAN EHRLICH: -- sorry, just to clarify. I read you loud and  
20 clear, and we consider parties' opinions and the developer's opinions,  
21 and the Board's guidelines describe the way that it tends to think about  
22 these things. As you've correctly pointed out, this is a subject that's  
23 included in the Review Board's EIA guidelines. So I just wanted the  
24 developer to understand that that is the approach that the Board has  
04:32PM 25 said it will follow in its environmental assessments. Thank you.

26 PKFN.

27 JANE HENDERSON: Thank you. As a last comment, we would just



04:32PM 1 note that there are projects mentioned in the business case which are  
2 not included in the induced effects.

3 Third question: PKFN draws your attention to Smith Creek  
4 where the slumping issues are significant. Of course, PKFN and  
5 Infrastructure are in active conversation about the slumping issues at  
6 Smith Creek at this time. PKFN knows that the soil in that area near  
7 Smith Creek is very similar to the north side of Blackwater River where  
8 the winter road is currently located on the edge of a pretty high hill. And  
9 PKFN asks: Have the ongoing slumping issues at Smith Creek  
10 informed any aspect of the project planning?

11 SETH BOHNET: Sorry, apologies, Seth Bohnet, GNWT. Jane, I  
12 just want to make sure we're talking about Big Smith Creek south of  
13 Wrigley?

14 JANE HENDERSON: Jane Henderson for PKFN --

04:33PM 15 SETH BOHNET: I believe there's multiple --

16 JANE HENDERSON: -- correct. Oh, yeah, we're talking about the  
17 one south of Wrigley; it's not part of the winter road alignment, but  
18 PKFN's Indigenous knowledge shows that the soil there where we're  
19 having major slipping issues is very similar to the soil north of  
20 Blackwater River where the winter road route is currently on the edge of  
21 a very high hill. Meaning any slumping there could be extremely  
22 dangerous.

23 And PKFN is asking if the ongoing slumping issues at  
24 Smith Creek have informed any part of the consideration for the  
25 all-season road.

04:33PM 26 ERICA BONHOMME: Erica Bonhomme. This project has not done  
27 any study related to that reference location south of Wrigley, which is

	1	outside of the project study area. The GNWT's work to date and the
	2	design going forward will be applicable to the route being proposed.
	3	ALAN EHRLICH: Okay, thank you for that. Our next question is
	4	going to be from Gwich'in Tribal Council. It's Ruari Carthew online.
04:34PM	5	Ruari, go ahead, please.
	6	RUARI CARTHEW: Ruari Carthew for GTC. Quick point on
	7	speculation before I ask a question, and that's just that the design of the
	8	project thus far is at 25 percent completion. There are numerous cited
	9	gaps in the baseline data valued components important to numerous
04:35PM	10	Indigenous governments here which make the impact predictions
	11	largely speculative. Mitigation plans are largely speculative. The
	12	approach to adaptive management relies on uncertainty, which is
	13	largely speculative. And the economic analysis is largely speculative.
	14	So there are competing views on speculation. When -- I'll go to
04:35PM	15	invasive species. Invasive species have the potential to spread
	16	northwards at a faster rate with an all-season highway and road. This
	17	could accelerate how fast invasives come to Gwich'in territory and
	18	lands, and efforts taken or not taken to manage invasives will have a
	19	direct implication on the number of invasive species advancing towards
04:36PM	20	GSA and the extensive risk they pose to Gwich'in lands and resources.
	21	We have heard about concerns on the loss of traditional plants
	22	along the corridor and are also concerned that they may be replaced
	23	with invasives.
	24	The question is how will the invasive plant monitoring plan map
04:36PM	25	and record the location and speed at which invasive plant species are
	26	observed along the road both during construction and operations..
	27	ALAN EHRLICH: GNWT.

04:37PM

1 ERICA BONHOMME: Erica Bonhomme. The GNWT will conduct  
2 invasive plant surveys as it does throughout all of the Northwest  
3 Territories highways before and every five years after construction of  
4 the highway. There was an IR on that -- IR response on that too. I  
5 don't have it at my fingertips.

04:37PM

6 But I -- regards to Gwich'in settlement area, there's no vector for  
7 vegetation changes or invasive species that may be introduced on the  
8 project to travel to the Gwich'in settlement area because there isn't  
9 planned to be a connection to that area as part of the project.

10 So I think maybe just to answer that part of your question about  
11 the anticipated reach of those invasive species and the vectors in which  
12 they would happen, the vectors are equipment that would be brought to  
13 and vehicle travel that would happen within the project area, and the  
14 GNWT has identified the types of mitigations applicable to that.

04:38PM

15 ALAN EHRLICH: Ruari, would you like to respond?

04:38PM

16 RUARI CARTHEW: Ruari Carthew for GTC. Thank you. I believe  
17 we did outline yesterday our -- GTC's views on reasonably foreseeable  
18 projects in that this could turn into induced development that extends  
19 the roads further north and therefore could create a more reasonable  
20 vector for plants and invasive species to spread.

04:39PM

21 Second question on invasives is we looked at the DAR and the  
22 information in there on invasives. Will the environmental monitoring  
23 and compliance monitoring plan for the project extend to include the  
24 observation detection and recording of invasive plants species  
25 movement along the PDA?

26 ALAN EHRLICH: While the GNWT is discussing their response,  
27 just because of the timing that we're at here, I'm going to ask if you

1 have other questions along this line, if we can get them in the form of  
2 information requests just because we're really running out of time here.  
3 GNWT's going to respond. But if you have further questions, do you  
4 mind saving them for IRs?

04:39PM 5 RUARI CARTHEW: Ruari Carthew. That is totally fine. Thanks.

6 ALAN EHRLICH: Appreciate it. Thanks. GNWT.

7 ERICA BONHOMME: Well, as regards to monitoring, the response is  
8 the same as the last one, which is that the GNWT will conduct invasive  
9 plant species surveys in -- along the right-of-way at one, five, and  
04:40PM 10 ten-year intervals. And it will also monitor -- that data will be used by  
11 the GNWT with input from the appropriate affected parties to develop  
12 management actions if necessary.

13 ALAN EHRLICH: Okay. Thank you very much, the GNWT.

14 I'm now going to ask Catherine Fairbairn to go through some of  
04:40PM 15 the undertakings where we asked people to come back with answers  
16 during the technical sessions, if possible, so that we can get those  
17 answers today.

18 Catherine, you've discussed with the GNWT which ones those  
19 are. Do you want to lead the questions? Thanks.

04:41PM 20 CATHERINE FAIRBAIRN: Yeah, thanks, Alan. Catherine Fairbairn.

21 So the first one that I believe the GNWT has some additional  
22 information for is related to some of the -- a series of the questions that  
23 Pehdzeh Ki First Nation sent in on Tuesday night. So if you could let us  
24 know some of the information that you have and maybe some of the  
04:41PM 25 outstanding information that will come in later.

26 ALAN EHRLICH: And for these, we'll hear the GNWT's response,  
27 but if there's any follow-up, let's do that in writing on the record in the

04:41PM 1 form of IRs or comments as necessary. But I don't want to have  
2 continued discussion about their answers. There's still a chance to  
3 response to that. I just don't think we're going to be able to follow up on  
4 their follow-up today.

04:41PM 5 Okay. GNWT, please go ahead.

6 SETH BOHNET: Seth Bohnet, GNWT. I just want a point of  
7 clarification. So the specific questions that PKFN provided us to were  
8 provided in writing, so I don't think everybody has access to them. So is  
9 it preference that we read the question first and then the response?

04:42PM 10 CATHERINE FAIRBAIRN: Sure, or if you can summarize effectively, that  
11 works too. But if it's simpler to read both, that's fine.

12 SETH BOHNET: Thanks for that. Yeah, so just to clarify, we  
13 don't have a response to all of the questions at this moment in time.  
14 The other ones, we will respond to in writing, but the ones that we can  
04:42PM 15 respond to right now, we will do so.

16 ALAN EHRLICH: Please only read the ones that you are able to  
17 respond to here. Thanks.

18 ERICA BONHOMME: Erica Bonhomme. It's me on the hot seat  
19 again. So to summarize, number 4, PKFN number 4 has to do with  
04:42PM 20 avoiding potential ice-rich and unstable terrain where practicable; how  
21 does the route achieve this when the chosen alignment travels through  
22 the highest concentration of permafrost in the Mackenzie Valley in the  
23 low areas close to the water source.

24 And the response -- there was a preamble to the response which  
04:43PM 25 is applicable to a few of the other responses, so this response may be  
26 just a little bit longer, which is those criteria that are provided in -- or the  
27 guidelines and objectives that are provided in section 5.2.2 are not

1 intended to be used in isolation. It's not likely that any road design in  
2 this area would meet all of these objectives, which is why terminology  
3 such as "where possible" and "where practicable" is used.

4 So "where practicable", for example, means if it can be done.

04:44PM 5 This means that there will be places where this is not possible. And we  
6 gave some examples of how, you know, that would apply to permafrost.

7 So to go on, then, the design parameters were selected to align  
8 with published standards, best practice, and the findings of the climate  
9 change and resilience assessment. The design parameters also state

04:44PM 10 that using the existing winter road alignment, which is thermally  
11 disturbed terrain, to the extent possible to reduce the area of new  
12 disturbance is something that the -- will be applied and that's acceptable  
13 for the current design definition stage, which is, you know, if you want to  
14 give a number, about 25 percent that we're using in the environmental

04:44PM 15 assessment.

16 But a notable point here is that the GNWT doesn't agree with the  
17 statement that the chosen alignment travels through the highest  
18 concentration of permafrost in the Mackenzie Valley in the low areas  
19 close to the water source. This is not supported by the information

04:45PM 20 provided in appendix 14A. We refer you to Figure 4.2 of that appendix.

21 I already said this before; permafrost is a thermal state, so not --  
22 it doesn't refer to a specific material. It may or may not contain ice, and  
23 therefore permafrost in and of itself is not a constraint.

24 In fact, near Wrigley, the permafrost is sporadic, discontinuous

04:45PM 25 permafrost. The low-lying wet thermokarst conditions represent the  
26 degradation of permafrost due to warming -- due to thawing -- sorry --  
27 resulting in surface subsidence. Permafrost degradation has occurred

1 naturally and will continue to occur in a warming climate.

2 Since the project is not aimed to preserve the permafrost,  
3 utilizing already-disturbed terrain along the existing winter road  
4 alignment is considered acceptable.

04:46PM 5 Question 6, again, another criteria -- another design objective,  
6 which is use of natural topography to reduce material requirements.

7 And, again, the preamble that I provided previously applies to  
8 this one as well is that you can't look at these in isolation.

9 The question is how is the use of natural topography achieved if  
04:46PM 10 the alignment follows low-lying terrain and so requires a fill-only design.  
11 Fill-only design requires frequent access to borrow sources for material.  
12 A different alignment would make it possible to use a cut-and-fill design.  
13 A cut-and-fill design would reduce material requirements and borrow  
14 sources needed.

04:47PM 15 So the GNWT's response is that a fill-only design other than at  
16 specific locations where geotechnical investigation has indicated the  
17 suitability of the cut materials for reuse is the most suitable design for  
18 this highway regardless of the location anywhere between the river and  
19 the mountains.

04:47PM 20 Points being: Minimizing the need for cuts reduces potential  
21 impacts on and impacts from disturbance to unsuitable materials in situ  
22 at any cut location. And so bullet 11 of section 5.2.2 states:

23 Optimizing use of natural topography to reduce material or  
24 requirements such as avoiding the need for deep fills. As a general  
04:48PM 25 principle, constructing a road on relatively level terrain requires less total  
26 material volume compared to building on hilly terrain. In hilly areas,  
27 additional fill is often needed at the bottoms of hills to maintain the

	1	geometric design speed; therefore, increasing the overall material
	2	requirements.
04:48PM	3	Question 7, again, another objective stated in section 5.2.2. The
	4	developer states that highway must maintain cost effectiveness in
	5	construction, operations, and maintenance. And then the question goes
	6	on: It's useful to compare the costs of maintenance of -- so the
	7	question asked to compare maintenance costs for Yellowknife to Frank
	8	Channel Highway, Edzo to Fort Providence Highway, stating that the YK
	9	Frank Channel section was constructed over low -- low-lying
04:49PM	10	topography, permafrost, and frost-susceptible soils. And the southern
	11	section of Edzo was constructed over higher ground with less
	12	permafrost, better drainage, which is similar to the route the Enbridge
	13	pipeline selected. The comparison is direct.
04:49PM	14	And the question asked: Has the developer made this
	15	comparison. And, you know, if so, yes; if not, why -- provide the results;
	16	if not, why not.
	17	So the response is: Yellowknife to Edzo highway -- so that's
	18	highway 3 -- is constructed across completely different geological
	19	terrain than the segment from Edzo to Fort Providence. The
04:49PM	20	differences are not related to high- or low-lying topography but rather to
	21	the abrupt transitions in subgrade conditions ranging from thin
	22	embankment fills on stable bedrock to thick or deep embankments over
	23	soft subgrade conditions between bedrock exposures influenced by the
	24	associated topographic relief.
04:50PM	25	Neither of these are very similar in topography to the Mackenzie
	26	Valley. Any such comparison would not provide much useful
	27	information to this design process. The GNWT's design principle to use



1 natural topography to reduce material requirements, for example, to  
2 reduce the need for deep fills, is relevant and one way to maintain cost  
3 effectiveness, which was the question.

4 Question 8, another -- so this one references section 5.2.2,  
04:50PM 5 Table 5.1, page -- on page 512, where the GNWT states that climate  
6 change and sustainability issues will be identified and addressed in the  
7 design. The largest -- and that the largest concern of this project to  
8 climate change is permafrost degradation, ice lands melting, and  
9 sediment erosion concerns.

10 The question is: Why is the design not considering alternate  
04:51PM 11 alignments where these concerns are reduced by selecting routes with  
12 less permafrost and less runoff which are on higher ground.

13 I think we've covered this today a little bit. And we definitely look  
14 forward to engaging further with PKFN on this topic. The GNWT notes  
04:51PM 15 that whether or not the largest climate change concern is permafrost  
16 degradation is debatable, and there's no data to indicate that such  
17 issues would be less severe inland near the mountains.

18 It should be noted that erosion and sedimentation potential  
19 concerns are greater in an area of higher slopes such as may be found  
04:52PM 20 on the higher ground further from the river and nearer the mountains.

21 Again, we don't know which route we're actually looking at here,  
22 so it's a general statement.

23 It goes on that -- again, to explain that permafrost is a thermal  
24 condition not necessarily reflective of the soil conditions and that road  
04:52PM 25 alignments on higher ground with significant elevational changes  
26 present different design considerations and geohazards specific to hilly  
27 terrain which differ from the challenges encountered in low-lying areas.

04:52PM

1 ALAN EHRLICH: Erica, I'm just going to let -- Dieter has a  
2 particular point that I believe is related to what you just said. So I --

3 ERICA BONHOMME: Okay.

4 ALAN EHRLICH: -- don't want to wait until the end of your  
5 answers because I know there's a lot of other --

6 ERICA BONHOMME: I can't finish the question and then stop?

7 ALAN EHRLICH: Do you have a bit more? Is it okay if --

8 Dieter, are you okay waiting until the end of the question?

9 Okay. Because right now I know there's a series of questions,  
10 and I just figure if it relates to --

04:52PM

11 ERICA BONHOMME: Yeah, maybe I could just finish this one  
12 response?

13 ALAN EHRLICH: Sure, that would help. Thanks.

14 ERICA BONHOMME: Thanks. Yes, okay. So regarding the effects of  
15 climate change on the project, the GNWT has stated that it can design  
16 the highway in specific areas of sensitive soils where they cannot be  
17 avoided. The GNWT cannot corroborate that there would be fewer  
18 geotechnical constraints on an alternate alignment.

19 Though, again, we look forward to engaging on that.

04:53PM

20 As stated previously, the design objectives need to be applied  
21 together, not in isolation.

22 I'll pause.

23 ALAN EHRLICH: End of that answer? Thanks.

24 Dieter, you go ahead, please.

04:53PM

25 DIETER CAZON: Dieter Cazon, LKFN -- or Łíídlıı Kúę First  
26 Nation; I apologize.

27 Can LKFN get a copy of that list and GNWT's responses for the

1           forthcoming information requests so we can respond?

2           ALAN EHRLICH:           Yeah, the list, in addition to being read into the

3           transcripts, can GNWT submit it; we'll post the responses on our public

4           registry?

04:54PM 5           ERICA BONHOMME:   No, the intent was to provide these verbally so

6           that we wouldn't be providing written responses.

7           ALAN EHRLICH:           Okay. In that case, we are transcribing every

8           word, so it should appear very soon on the public registry in the form of

9           the transcript for this, not as a standalone document. Is that

04:54PM 10          satisfactory.

11          DIETER CAZON:           Do you know -- 17. Dieter Cazon, LKFN. Do

12          you know when?

13          ALAN EHRLICH:           We expect it to be online probably by tomorrow

14          morning, maybe a little bit later.

04:54PM 15          DIETER CAZON:           Okay, that works for me. Thank you.

16          ALAN EHRLICH:           Okay. Thanks. Erica, please go ahead.

17          ERICA BONHOMME:   Well, I don't know though, Jane, if these were --

18          if your questions were provided written because I am paraphrasing a

19          little bit, so -- like, just to summarize.

04:54PM 20          JANE HENDERSON:       Our questions were provided in writing, and they

21          were, you know, originally intended to have been read aloud and so --

22          on the record, and so we have no problem submitting them in any form

23          to anyone else here.

24          ALAN EHRLICH:           So, Jane, we know that you've them in writing.

04:55PM 25          Is it okay if we post the questions you provided as well? Because not all

26          of them have been spoken during the session.

27                 So with that, so all of Pehdzeh Ki's questions will be posted, and

1 all of the answers that you've heard will be on the transcript at this point.

2 Okay, thanks. Erica, please carry on.

3 ERICA BONHOMME: And, again, I should just reiterate that the

4 GNWT always looks forward to more opportunities for engagement. So

04:55PM 5 if, you know, permafrost and sensitive soils and how we design in those

6 sensitive soil is a top topic, let's get together and chat.

7 Question 9: Areas of importance in -- considering areas of

8 importance, traditional, cultural, and ecological importance. Again, this

9 is another design objective.

04:56PM 10 PKFN has consistently informed the developer that the proposed

11 route goes directly through areas of high traditional, cultural, and

12 ecological importance and that alternative routes to the east would

13 travel through areas of less significance. The GNWT has consistently

14 disregarded this information. PKFN asks what consideration was given

04:56PM 15 to other alignments travelling through areas of lower importance.

16 The GNWT's response is that the GNWT has considered all

17 available information to date, including previous traditional knowledge or

18 traditional use information compiled and presented in the Deh Cho

19 PDR.

04:56PM 20 And if you look at the many figures presented in the PDR,

21 you'll -- we can see the traditional use and occupancy, sensitive wildlife

22 environments, and location of sensitive features as identified by

23 PKFN -- and some were referenced today -- in relation to the project

24 route and existing bridges.

04:57PM 25 It suggests that the routing currently before us that's been

26 proposed is not inappropriate or at least was not at the time.

27 And that's, you know, obviously something that, you know, the

	1	GNWT's heard and looks forward to engaging on further.
	2	The GNWT looks forward to receiving additional information,
	3	including information about its suggested alternative -- about PKFN's
	4	suggested alternative route to the east. Once received, the GNWT will
04:57PM	5	review the information to confirm the suitability of the alternative and will
	6	engage with PKFN on the next steps. As far as considering other
	7	alignments, GNWT notes that the PDR identified nine optimizations of
	8	the route.
	9	We talked about those earlier today. And that included
04:58PM	10	consideration of water and wetlands and moose and moose pastures,
	11	traditional human activities along the alignment, and the presence of
	12	permafrost.
	13	These optimizations, you know, as was mentioned, adopted -- so
	14	there were eight of the nine proposed optimizations adopted in the
04:58PM	15	current routing.
	16	As for permafrost, specific to permafrost, geotechnical data is
	17	not available at this time, but such data will be available in the later
	18	stages of the project once geotechnical studies have been completed.
	19	The geotechnical studies will determine whether the proposed
04:59PM	20	alignment requires further optimization or rather the use of mitigation
	21	techniques in problematic areas.
	22	Question 10: Missing assessment of overflow and washouts
	23	risks. And it references section 5.2.3, Table 5.2, which is titled
	24	"Summary of Consideration of Engagement Input on Design".
04:59PM	25	There are numerous requests to consider the impacts of
	26	overflow and washouts along the winter road alignment. The question
	27	from PKFN: What has been done to assess if this concern is reduced

	1	or eliminated on an alignment at a higher elevation or along a different
	2	route.
	3	GNWT's response points to the responses to MVEIRB
	4	number 71, IR number 71, and CanNor number 5, which is NR can
05:00PM	5	number 1, which provide information on how icings will be considered in
	6	culvert design and how engagement feedback regarding local
	7	knowledge of overflow locations has been included in project design.
	8	No design work has been done on an alternative route. The
	9	GNWT looks forward to receiving additional information, including
05:00PM	10	information about its suggested -- about PKFN's suggested alternative
	11	route to the east.
	12	Question 12: In section 5.2.3, Table 5.2, again, consideration of
	13	engagement and input on design. The developer states that the GNWT
	14	is committed to ongoing engagement with Indigenous governments,
05:00PM	15	Indigenous organizations, and other affected parties during project
	16	advancement and planning and that refers to a phrase "if practical and
	17	reasonable" is used many times in the DAR, including whether it will use
	18	that information.
	19	Who decide -- PKFN asks who decides what is practical and
05:01PM	20	how.
	21	The terminology being referred to in section 5.2 is practicable,
	22	which means if it can be done. And to use a few examples, the GNWT
	23	has said it will, for example, avoid known and potential ice-rich and
	24	unstable terrain where practicable. That means that as the project
05:01PM	25	design is advanced, there will be places where this won't be possible.
	26	Likewise, the GNWT has said that it will reflect community engagement
	27	to the extent that it is possible.

05:02PM 1 And to this example, sometimes engagement and input, while  
2 thoughtful, isn't reasonable or helpful to reducing impacts of the project  
3 or may not even be within the GNWT's jurisdiction to implement.

4 In this case, the GNWT uses the engagement opportunity to  
5 explain its reasons and to, you know, follow up on the engagement  
6 comment the further.

7 Regarding the consideration of PKFN's forthcoming traditional  
8 land and resource use study, the GNWT provided information in  
9 response to PKFN IR number 2.

05:02PM 10 Question 14: In section 7.1.3.2.2, the developer states:  
11 The inland route alternative may require fewer new culverts  
12 compared to the project route because the watercourses to be crossed  
13 at the inland route location may be better defined owing the to upland  
14 terrain location. A comparison of costs, however, is not possible without  
15 a more detailed route evaluation.

05:03PM 16 Question from PKFN: Why did the developer not provide any  
17 kind of quantitative cost comparison between the project route and the  
18 inland route alternative when the terms of reference stated, quote:  
19 The developer will identify and describe the alternative routes  
20 considered for the development, including a description of each  
21 alternative considered, how and why they are not environmentally,  
22 technically, and/or economically feasible and the rationale for rejecting  
23 any alternatives that are excluded from further assessment."

24 And "economically feasible" was underlined and emphasized.

05:03PM 25 The GNWT's response is that the comparison that's been  
26 provided in the developer's assessment report, section 7 -- chapter 7,  
27 does meet the requirements of the terms of reference. The economic

	1	criteria that were considered were listed in table 7.1. And, specifically,
	2	the GNWT has included criteria of maintaining cost effectiveness and
	3	reducing material requirements, which are directly relevant economic
	4	criteria.
05:04PM	5	And just to follow up again, no design work has been done on an
	6	alternative alignment as it has not been provided.
	7	Number 17, again, in the alternative assessment, it relates to the
	8	availability of water sources needed for construction and operations and
	9	maintenance. The preamble says:
05:05PM	10	Related to this, due to the need to construct new crossings over
	11	major watercourses, there will be additional short- to medium-term
	12	effects on water resources during construction of these structures.
	13	PKFN says:
05:05PM	14	The winter road route also has challenges requirements for
	15	water. In section 5.4.6.1, the developer states that in winter, portions of
	16	the winter road will be used as a travel lane for equipment working to
	17	construct new embankment with the shared right-of-way of the winter
	18	road and the all-season road. Where the project right-of-way departs
	19	from the winter road, a winter travel lane may be constructed for the
05:05PM	20	project along side the embankment to facilitate the movement of
	21	equipment. Water for constructing the project winter travel lane, where
	22	needed, will be sourced from the Mackenzie River and other sources as
	23	authorized for water withdrawal.
	24	PKFN says:
05:06PM	25	So the plan to build along the winter road has the same problem
	26	with access to water only in the winter. The developer expects to haul
	27	water from Mackenzie River. Can the developer provide a quantitative



	1	assessment of the availability of water sources needed for construction
	2	and maintenance of the inland route alternative compared to the project
	3	route.
	4	Again, the information presented in chapter 7 does meet the
05:06PM	5	requirements of the terms of reference for the comparison of
	6	alternatives. A detailed quantitative assessment was not completed
	7	because it was not required.
	8	The GNWT has identified potential water sources and quantified
	9	potential water availability in chapter 15. Though the GNWT does not
05:07PM	10	have a specific route to compare, it can be noted that there are
	11	generally fewer water bodies as you move east of the current route
	12	towards the Franklin Mountains in the Deh Cho region, particularly
	13	between White Sand Creek and Blackwater River. An inland alternative
	14	also likely removes the Mackenzie River as a proximal water source.
05:07PM	15	18, this one's short:
	16	Can the developer provide a quantitative assessment of the need
	17	to construct new crossings of watercourses in the inland route
	18	alternative compared to the project route?
	19	And the GNWT's response is: No. The level of design is not
05:07PM	20	developed enough to allow for comparison and that the GNWT looks
	21	forward to receiving additional information from PKFN, including
	22	information about its suggested alternative route to the east.
	23	Number 19: In section 7.2.3.2.3, the developer states, quote:
	24	Generally, there may be fewer effects associated with
05:08PM	25	constructing new access roads to quarry sources for the inland route
	26	alternative as there are likely to be more suitable material sources
	27	available closer to the route than the project route.

05:08PM

1 Question for PKFN: Can the developer provide a quantitative  
2 assessment of effects of constructing access roads to quarry sources  
3 for the inland route compared to the project route.

4 And the response is the same as the previous: No. The level of  
5 design is not developed enough to allow for this comparison, and the  
6 GNWT looks forward to receiving additional information from PKFN,  
7 including information about its suggested alternate route to the east.

8 I'm getting there.

05:09PM

9 Number 20, again, quoting section -- quoting from chapter 7.  
10 The developer states, quote:

11 Following existing cleared right-of-way to limit clearing is  
12 preferred to clearing the new right-of-way. This is a key mitigation  
13 measure for reducing effects of the project on wildlife, including caribou  
14 and moose.

05:09PM

15 Question from PKFN: How can the developer come to this  
16 conclusion when they have not provided a quantitative assessment of  
17 the impacts of the project route on wetlands and habitats used by  
18 waterbirds and moose compared to the impacts on the annual range of  
19 boreal caribou from the inland route to alternative. Further, most of the  
20 inland alignment is alpine and has no clearing required. The winter road  
21 route is in the treeline and requires more clearing.

22 How has the developer compared tree clearing requirements in  
23 their impacts.

24 And GNWT's response is: If PKFN is referring to a specific  
25 route, please provide to the GNWT, and the GNWT can run metrics on  
26 that route.

27 The GNWT, though, is curious about the characterization of the

05:10PM

1 alternate route as alpine which may introduce environmental  
2 considerations that are not associated with the current route.

3 Question 23, last one that we're providing today. Table 26.2 sets  
4 out the projects that were considered in the cumulative effects  
5 assessment. The table includes Activity 6, the Mackenzie Valley  
6 Highway from Alberta border to Wrigley, and Activity 7, the winter road  
7 from about Kilometre 794 to 1093.

8 Question from PKFN: Where in the table is the winter road from  
9 Wrigley to Kilometre 794.

05:11PM

10 GNWT's response is that Table 4.2 identifies Mackenzie Valley  
11 winter road and Délı̨nę winter road as existing infrastructures. And  
12 those are ID number 7, as was pointed out. The location in the table is  
13 incorrectly identified as being in the Sahtu region only. It is meant to  
14 refer to the winter road in the Sahtu and Deh Cho regions.

05:11PM

15 And the omission of the Deh Cho reference in the table will be  
16 corrected.

17 The GNWT notes, however, that the full extent of the Mackenzie  
18 Valley winter road as an existing project is included in figure 4.1 and 4.2  
19 and in the cumulative effects assessments for value components as  
20 presented in subsections 5 of each chapter. And it's labeled as  
21 "Mackenzie Valley Winter Road Including Bridges and Bridge-Sized  
22 Culverts".

05:11PM

23 So Table 4.2 will be updated in the DAR addendum with that  
24 correction.

05:12PM

25 And I'm done.

26 CATHERINE FAIRBAIRN: Thank you very much. That was a lot of  
27 reading.

05:12PM 1 ERICA BONHOMME: I hope I didn't put anybody to sleep with that.

2 CATHERINE FAIRBAIRN: Okay, that was our big one in terms of following

3 up. We do have four more, but they aren't multipart, so hopefully it

4 doesn't take quite so long. And then we'll spend some time looking

5 looking at the final wording of the commitments that the GNWT has

6 made and very briefly talk about next steps, and then hand it back to

7 Alan.

8 I also wanted to just clarify that there's a whole bunch of other

9 questions that people said they were going to, you know, bring

05:13PM 10 information back for that people can't answer during the technical

11 session and, you know, the next however long we're going to spend

12 here.

13 And so those, we'll follow up with the individuals who are asking

14 some of that information. And you could submit those and just kind of

05:13PM 15 have the details fleshed out in there if you want in writing to the Review

16 Board, and we can enter those when we get the next round of IRs up

17 and running.

18 So the GNWT is kind of already aware of the topics, but we

19 might also ask parties to submit kind of the -- just to make sure we've

05:13PM 20 got it all there, and then we can make sure that's posted as soon as that

21 round is up and running.

22 So just if you're wondering what's happening with the others,

23 that's the plan.

24 The next one that I wanted to go through -- I'm just going through

05:13PM 25 them in order. CanNor, you'll but up in two, like after this one.

26 The next one was also for the GNWT, and this was about the

27 employment level -- employment data available by year and where that

1 information is available.

2 Do you want to skip that one after all?

3 SETH BOHNET: Seth Bohnet, GNWT. We're just confirming.

4 There is employment data in the DAR already. I just wanted to clarify

05:14PM 5 where it's located.

6 CATHERINE FAIRBAIRN: While you clarify that, is it all right if I move on

7 to the one that was -- CanNor was going to come back to, which was in

8 response to what role does a highway to Inuvik or only to Norman Wells

9 serve in Canada's plan for Arctic sovereignty.

05:14PM 10 So maybe, Shannon, if I can get you to respond to that, and that

11 gives GNWT a few minutes to look up the right section.

12 SHANNON ALLERSTON: Sure. Thank you, Catherine. And thanks for

13 the question, Kanda, and the time to put together a response.

14 So the question to CanNor that was posed yesterday was about

05:15PM 15 the role in CanNor's perspective that the Mackenzie Valley Highway will

16 support Arctic security and sovereignty.

17 So in accordance with the Arctic and Northern Policy Framework,

18 there are goals for enhancing economic opportunity and prosperity for

19 northerners by closing transportation infrastructure gaps and

05:15PM 20 strengthening the north's regional infrastructure to help exercise

21 Canadian sovereignty. The north's security depends in part on the

22 presence and ability of security providers to respond to emergencies,

23 including the Canadian Armed Forces, the RCMP, and the Canada

24 Border Services Agency, along with Territorial Emergency Management

05:15PM 25 Services. The extension of the Mackenzie Valley Highway to Inuvik

26 would provide important redundancy in connective Canada's road

27 system to the Arctic ocean which has implications for sovereignty and

05:16PM

1 security given the geopolitical sensitivities of the Northwest Passage  
2 and heightened security threats within the region. It's important for  
3 Canadians within the region to meaningfully participate in and benefit  
4 from economic opportunities and to be connected with the rest of the  
5 country.

05:16PM

6 In this sense, major infrastructure projects such as the  
7 Mackenzie Valley Highway reflect the character of our nation as one  
8 that stretches from coast to coast to coast. The Mackenzie Valley  
9 Highway, as proposed, could serve dual purposes for both security  
10 related and civilian use; it provides access for residents, businesses,  
11 and emergency services, helping to unlock new economic opportunities,  
12 stimulate investment, and strengthen the regional economy and food  
13 security. This is particularly important given the recent challenges  
14 posed by low water levels which limit the ability of barges to resupply  
15 communities.

05:16PM

16 This comment, as requested by GTC, reflect CanNor's  
17 perspective on the issue and the Mackenzie Valley Highway and its role  
18 in supporting Arctic security and sovereignty.

05:17PM

19 And if more specific information is desired on the implications of  
20 the Mackenzie Valley Highway, we would be happy to reach out to our  
21 broader Government of Canada colleagues, including Global Affairs  
22 Canada and the Department of National Defence.

23 CATHERINE FAIRBAIRN: Thank you, Shannon. Catherine Fairbairn.

24 Over to the GNWT for the question about employment data.

05:17PM

25 SETH BOHNET: Seth Bohnet, GNWT. Yeah, so just to  
26 reconfirm, the request was for -- I believe it was -- the specific request  
27 was to identify where the information was located in the DAR. And it is

05:17PM 1 section -- or chapter 54.14.1.

2 CATHERINE FAIRBAIRN: Thank you.

3 SETH BOHNET: Or something like that.

4 CATHERINE FAIRBAIRN: Okay. We've got two more here. The last two

5 are both for the GNWT. This is the one in response to the Gwich'in

6 Tribal Council's question about confirming if the GNWT is a joint

7 venturer regarding the fiber line.

8 SETH BOHNET: Seth Bohnet, GNWT. Yeah, so just to clarify,

9 yeah, the GNWT is the owner of the Mackenzie Valley fiber line. But

05:18PM 10 the -- I'll leave it at that for the moment.

11 CATHERINE FAIRBAIRN: Okay, thank you. And the last one of these

12 outstanding responses we're going to go through was from Pehdzeh Ki

13 First Nation asking about the consideration for -- or why GNWT didn't

14 consider the Liard Highway moratorium from the 70s.

05:18PM 15 SETH BOHNET: Seth Bohnet, GNWT. I remembered -- yeah, so

16 again, specific to this project, that wasn't necessary at -- to be

17 incorporated into the assessment at this point in time. So the focus of

18 this project is on the current project, Mackenzie Valley Highway, as

19 proposed, not the Liard Highway.

05:19PM 20 CATHERINE FAIRBAIRN: Okay, thank you.

21 So that's all the responses that we -- or that people were able to

22 come back to during the technical sessions. As I said, I will reach out

23 about any of the other responses. And, of course, there's a chance to

24 ask follow-up questions in the upcoming second round of information

05:19PM 25 requests about other topics or other about anything that you heard just

26 now or other times during the technical sessions.

27 So one of the other things we need to do before we can wrap up

05:19PM 1 today is go through the commitments and just confirm the final wording.  
2 There are nine that we've documented that the GNWT has made, and  
3 they've confirmed the wording for those.  
4 Number 1, we already talked about yesterday morning, I believe.  
05:19PM 5 So that's that the GNWT will update the WMMP as part of the DAR  
6 addendum. And then 2 to 8, I think were yesterdays, and then there  
7 was one from today.  
8 So the second one is that the GNWT commits to further  
9 engagement and meaningful consultation to gather information from  
05:20PM 10 PKFN to help inform and improve the socio-economic impact  
11 assessment. The third is --  
12 Actually, maybe I'll let the GNWT read these. I was -- I started  
13 because I felt bad asking Erica to read again, but Seth and Patricia are  
14 both there too. So you guys can take over.  
05:20PM 15 SETH BOHNET: Seth Bohnet, GNWT. Yes, thanks a lot,  
16 Catherine. Happy to do that.  
17 So commitment number 3 from yesterday, the GNWT will have  
18 further discussion on capacity funding and the need for capacity funding  
19 for the ongoing EA with PKFN.  
05:20PM 20 Next slide, please. The GNWT has committed to ongoing  
21 discussion with PKFN for mitigation measures.  
22 Commitment number 5, the GNWT will help develop key  
23 indicators for wellbeing with communities to help inform monitoring  
24 plans.  
05:20PM 25 Commitment number 6, the GNWT will reconsider the market  
26 basket measure and the details contained in Nutrition Canada, adjust  
27 the cost of living.



1 I think there might be a typo in that one. We'll have to get back  
2 to you.

3 CATHERINE FAIRBAIRN: Oh, sorry. Okay, we'll fix it.

4 SETH BOHNET: Commitment number 7, the GNWT commits to  
05:21PM 5 a follow-up conversation with PKFN about scope of remaining field  
6 studies once they get information from the PKFN.

7 Commitment number 8, the GNWT will commit to notify  
8 communities a month in advance for monitoring opportunities related to  
9 the project.

10 ALAN EHRLICH: Correction. I believe that was originally "at least  
05:21PM 11 a month in advance". Is that still okay with you?

12 SETH BOHNET: Yes.

13 ALAN EHRLICH: Thank you.

14 SETH BOHNET: And then commitment number 9 from today,  
05:21PM 15 boy, that's a long one. The GNWT commits to providing further detail  
16 specifically on the safety and security plan for vulnerable community  
17 members as part of the DAR addendum and will consider providing  
18 additional creative mitigation strategies to address the significant  
19 adverse effect to the safety and security of women and girls. This  
05:22PM 20 would include information specific to both construction, anticipated  
21 effects, and then also operation effects.

22 CATHERINE FAIRBAIRN: Thank you very much. That was all of the  
23 commitments that we've documented, and now they're read into the  
24 transcript.

05:22PM 25 Actually, if you could share -- there's one more slide that I was  
26 just going to talk through before I hand it back to Alan.

27 We just wanted to very quickly touch on the next steps for the

05:23PM 1 environmental assessment. This is all based on the previous work plan  
2 that was released in August.

3 So the main next step is that in early December we'll release an  
4 updated draft work plan once we've touched base with our board  
05:23PM 5 following these tech sessions. The round 2 of information requests will  
6 open very soon, hopefully in early December as well on the online  
7 review system. And then those other three dates are from the existing  
8 work plan. So in early 2025, our goal will be to have responses from  
9 the developer to those round 2 information requests. We're still looking  
05:23PM 10 at -- or we're currently looking based on that work plan at spring for a  
11 revised DAR or DAR addendum. And then depending on when that  
12 DAR or DAR addendum comes in, we'd be entering the hearing phase  
13 with interventions and so on.

14 So more information in early December, so the main information  
05:23PM 15 from this slide.

16 ALAN EHRLICH: Thanks, Catherine. I feel like we're all leaving  
17 this session with quite a bit more knowledge about the project and the  
18 predictions of the impacts and the kinds of questions that are still  
19 outstanding that we had going in. I know that it's been quite helpful to  
05:23PM 20 me that way. We know there's still issues that need to be sorted out,  
21 but with any luck, this will help you zone in and focus on which ones you  
22 really want to pursue for the rest of the environmental assessment and  
23 bring forward in the interventions or at least in the information requests.

24 So I want to thank all of you. Your endurance is remarkable. But  
05:24PM 25 we also really appreciate the knowledge and the insights that you've  
26 brought into the room in your questions and in your answers. I feel like  
27 that's been a very impressive amount of depth on a number of different

	1	subjects. I know they've been long days, and I appreciate everyone's
	2	had some flexibility to try and make sure we can hear from everybody,
	3	hit all the subjects we need to hit.
	4	I also want to thank folks who have agreed to put some of their
05:24PM	5	questions into information requests. We know that that's not always the
	6	first preference that people have.
	7	I really want to recognize the folks who came from a long way to
	8	take part in these sessions. It's meaningful. You made the sessions
	9	better. We're grateful to you. Your information helps the Review Board
05:25PM	10	make a better decision, and that ultimately helps everyone in the long
	11	term. We hope this session is part of building a better highway and a
	12	better decision about the highway. So I want to say thanks on that.
	13	Thanks to the developer. It's hard to be answering questions all
	14	the time for this. The parties kind of get a break when other parties are
05:25PM	15	speaking, but the developer is always on the process of responding.
	16	And they've gone to some lengths to make sure they have the right
	17	people in the room to try to respond to these things.
	18	Your openness to ongoing discussion is helpful. We would still
	19	like to see more specific details on the kinds of mitigations, not the
05:26PM	20	frameworks for mitigations, but the actual mitigations for the kinds of
	21	issues that have been raised. There's still room in the environmental
	22	assessment to try and flag those well. But I think we're all
	23	understanding each other much better now than even just a few days
	24	ago. So I really appreciate that.
05:26PM	25	I want to express our thanks to Jenna, our transcriptionist, and
	26	her counterpart online for making sure that our words last and resonate
	27	on the public record.

05:26PM

1                   And I would like to thank Martin for making sure from Pido Sound  
2                   for making sure that we could all hear each other's words when we're  
3                   doing this and making sure that this whole thing can chug ahead well.

4                   I'd like to wish everyone a safe trip home, whether that's near or  
5                   far. And for our closing prayer -- before closer prayer, I would like to  
6                   acknowledge the YKDFN Drummers for starring this the right way, and I  
7                   would like to recognize Tim Lennie for the opening prayer which also  
8                   helped get us started in the right way.

05:27PM

9                   For closing prayer, Frank Andrew -- sorry, Fred Andrew,  
10                  Tim Lennie. Sorry, it's getting long, and my brain is slowly getting  
11                  mushier. But long day, but we're at the very home stretch now.

12                  So if everyone could please stand for closing prayer from  
13                  Tim Lennie.

14                  - PRAYER -

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16                  SESSION CONCLUDED

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Certified correct to the best of our  
skill and ability,

A handwritten signature in black ink, appearing to read 'Lois Hewitt', with a long horizontal stroke extending to the right.

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Lois Hewitt, CSR(A)  
Jenna Mearns, CSR(A)  
Court Reporter