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Environmental Protection Operations
Prairie and Northern Region
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September 14, 2012

Our File No.: 4336 001 009
Your File No.: EIRB 02/10-05

Eli Nasogaluak
Environmental Assessment Coordinator
Environmental Impact Review Board
Joint Secretariat – Inuvialuit Renewable Resources Committee
107 Mackenzie Road, Suite 204
P.O. Box 2120, Inuvik, NT
X0E 0T0

Via Email at eirb@jointsec.nt.ca

RE: EIRB 02/10-05 – Hamlet of Tuktoyaktuk, Town of Inuvik, and the Government of the Northwest Territories – Public Hearing Presentation – Construction of the Inuvik to Tuktoyaktuk Highway, Northwest Territories

Dear Mr. Nasogaluak,

Environment Canada (EC) is pleased to submit the attached presentation to the Environmental Impact Review Board (the Board) as part of the environmental assessment review process being conducted for the Hamlet of Tuktoyaktuk, Town of Inuvik, and the Government of the Northwest Territories' (the Proponent) Construction of the Inuvik to Tuktoyaktuk Highway (EIRB 02/10-05). This presentation summarizes the Department's Draft Technical Submission which outlines EC's positions with respect to technical issues that fall under the Department's mandate and where EC has relevant specialist / expert information and knowledge to provide.

EC would like to note that the Proponent provided supplemental information for the cumulative effects assessment to the Board on September 4, 2012, however this information was not posted to the Public Registry until September 6, 2012. Because this new information was not available to the Department in time to adequately assess and include in the Draft Technical Submission, EC cannot provide comments, conclusions or recommendations on the topic of cumulative effects at this time.

EC looks forward to addressing any questions or concerns that the Board or any other interested party may have at the Public Hearing. Following the Public Hearing, EC will provide a Final Technical Submission to the Board as per your requirements.

Should you have any questions or wish to discuss this presentation further please do not hesitate to contact Stacey LeBlanc at (780) 951-8953 or Stacey.LeBlanc@ec.gc.ca.

Yours sincerely,

Cheryl Baraniecki
Regional Director, Prairie and Northern Region
Environmental Protection Operations Directorate

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cc: Dave Ingstrup (Regional Director, CWS)
Carey Ogilvie (Head, Environmental Assessment North, EPO)
Susanne Forbrich (Manager, Environmental Assessment and Marine Programs, EPO)
Vanessa Charwood (Head, Western Arctic Unit, CWS)
James Hodson (Environmental Assessment Coordinator, CWS)
Stacey LeBlanc (Environmental Assessment Coordinator, EPO)
Mike Fournier (Sr Environmental Assessment Coordinator, EPO)



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ENVIRONMENT CANADA'S PRESENTATION ON THE HAMLET OF TUKTOYAKTUK, TOWN OF INUVIK AND THE GOVERNMENT OF THE NORTHWEST TERRITORIES'

CONSTRUCTION OF THE INUVIK TO TUKTOYAKTUK HIGHWAY

ENVIRONMENTAL IMPACT REVIEW BOARD FILE NO. 02/10-05

**Public Hearing in Inuvik, NT
September 18-19, 2012**

Overview

- Environment Canada's (EC) Responsibilities and Scope of the Technical Submission
- EC's Role in the Technical Submission
- Issues Tracking:
 - Water Quality;
 - Fuel / Spill Contingency;
 - Waste Management; and
 - Wildlife.



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Responsibilities and Scope

- The primary legislation and standards administered by EC, and of particular applicability to the Project are:
 - *Department of the Environment Act*;
 - *Canadian Environmental Protection Act (CEPA 1999)*;
 - *Fisheries Act*;
 - *Migratory Birds Convention Act*;
 - *Species at Risk Act (SARA)*; and
 - *Canadian Environmental Assessment Act*.



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Role in the Technical Submission

- Submission is provided in EC's capacity as an expert advisor to the EIRB.
- EC will not issue a license, permit or any other authorization.
- Specialist / Expert Information and Knowledge in areas of the Departmental Mandate, relevant to the Project is in accordance with Section 11 – *Environmental Impact Screening and Review Process* of the Inuvialuit Final Agreement.
- EC must continue to strive to meet obligations set out under CEAA 1992 Section 16(1)(a).



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Water Quality – Blasting

- **Issue** – Proponent may require blasting for winter borrow source development. EC recommended that an Explosives Management Plan be developed.
- **Status & Rationale** – *Partially Addressed*. The Proponent has committed to including an Explosives Management Plan in their Environmental Management Plan but has not provided it for review.
 - (Reference – EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses, and Table F: Summary of Developer Commitment August 31, 2012)



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Water Quality – Sediment and Erosion Control

- **Issue** – The Proponent will develop and implement an Erosion and Sedimentation Control Plan as part of the Environmental Management Plan but has not provided it for review.
- **Status & Rationale** – *Partially Addressed*. A long term Erosion and Sediment Control Plan should be developed and submitted for review.
 - (Reference – EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses, and Table F: Summary of Developer Commitment August 31, 2012)



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Fuel / Spill Contingency – Storage Tank Systems

- **Issue** – The Proponent intends to store fuel for borrow source and highway construction activities. EC recommended that the the Proponent comply with the CEPA 1999 Storage Tank System for Petroleum Products and Allied Petroleum Products Regulations.
- **Status & Rationale** – *Partially Addressed*. The Proponent has committed to storing fuel in double-walled fuel storage tanks in accordance with the Storage Tank Regulations; however the Proponent has not committed to complying with other aspects of the regulations as applicable.
 - Reference – *EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses, and Table F: Summary of Developer Commitment August 31, 2012)*

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Fuel / Spill Contingency – Spill Reporting

- **Issue** – The Proponent's contractors will report all spills greater than 5 litres to the Government of the Northwest Territories Spill Line and other appropriate agencies. However, all spills of oil, fuel, or other deleterious materials, regardless of size, are to be reported to the NU / NWT 24-hour Spill Line.
- **Status & Rationale** – *Addressed*. The Proponent has committed to the reporting requirements.
 - (Reference - Table F: Summary of Developer Commitment August 31, 2012)

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Fuel / Spill Contingency – Spill Contingency Plan

- **Issue** – The Proponent will develop and implement a Spill Contingency Plan and an Environmental Emergency Response Plan (should it be required as Per Part 8, Environmental Emergency Regulations of CEPA, 1999), but has not provided them for review.
- **Status & Rationale** – *Partially Addressed*. EC recommends that a full site specific Spill Contingency Plan and a Environmental Emergency Response Plan be submitted for review.
 - (Reference – EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses, and Table F: Summary of Developer Commitment August 31, 2012)



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Waste Management – Incineration

- **Issue** – The Proponent will develop a Waste Management Plan for all wastes associated with pre-construction and construction activities. The Proponent has not provided a full Waste Management Plan for review to ensure that all waste materials are disposed of properly. The Proponent has also not identified whether or not incineration will be a method of waste management.
- **Status & Rationale** – *Unaddressed*. EC recommends that the Proponent submit for review a Waste Management Plan.
 - (Reference – EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses)



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Wildlife Issues

- Outstanding issues:
 - Wildlife Management Plan; and
 - Cumulative Effects Assessment for Species at Risk.
- Resolved Issues:
 - Wildlife Monitoring Reports;
 - Mitigation Measures for Birds;
 - Noise Impact Assessment;
 - Bird Mortality from Vehicle Collisions; and
 - Habitat Disturbance within the Boreal Caribou Range.



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Wildlife Management Plan

- **Issue** - EC recommended that the Proponent provide a Wildlife Management Plans prior to construction.
- **Status and Rationale** – *Partially Addressed*
 - The proponent has not yet provided a project-specific draft Wildlife Management Plan.
 - EC recommends that the EIRB direct the Proponent to provide a Wildlife Management Plan for review by EC, other regulators and interested parties at least 60 days prior to construction, if the project proceeds.
 - (Reference – EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses, and Table F: Summary of Developer Commitment August 31, 2012)



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Wildlife Management Plan

- **Status and Rationale (cont'd) – Partially Addressed**
 - The Wildlife Management Plan should contain all of the items indicated in the Wildlife and Wildlife Habitat section of the Proponent's updated Commitments Table.
 - The final Wildlife Management Plan should include details on how equipment would be monitored for cleanliness, how effectiveness of dust control will be monitored, and how waste management practices will be audited to ensure adherence to the Waste Management Plan.
 - (Reference – EC's Information Request Responses, March 30, 2012, Table F: Summary of Developer Commitments with EC IR Responses, and Table F: Summary of Developer Commitment August 31, 2012)



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Cumulative Effects Assessment for Species at Risk

- **Issue** - The cumulative effects assessment for species at risk is incomplete.
- **Status and Rationale – Partially Addressed.**
 - Results of summer 2012 field surveys for species at risk have been provided.
 - The Proponent revised the habitat suitability models for these species and provided estimates of the footprint of the highway and borrow sources by habitat suitability category and vegetation type.
 - The footprint breakdown was revised again on August 28, 2012 to reflect changes to borrow sources selected for the project.



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Cumulative Effects Assessment for Species at Risk

- **Status and Rationale** (cont'd) – *Partially Addressed*
- The Proponent provided revised footprints with a 1 km zone of influence for existing and proposed projects and estimates of overlap among these footprints (*not available on the public registry until September 6, 2012*).
- EC will use the supplemental cumulative effects information to inform our final Technical Submission.



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Questions?

Thank you for the opportunity to present
EC's Draft Technical Submission



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