

October 29, 2012

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
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Dear Mr. Nasogaluak,

Infrastructure Canada (INFC) is pleased to provide the attached final submission to the Environmental Impact Review Board (EIRB) 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' Construction of the Inuvik to Tuktoyaktuk Highway (EIRB 02/10-05).

As you know, in Budget 2011, the Government of Canada committed to contributing \$150 million to support the construction of an all-season road between Inuvik and Tuktoyaktuk. Budget 2011 noted that the project would be completed in partnership with the Government of Northwest Territories, the private sector, the Inuvialuit Regional Corporation and local communities.

INFC, within the Transport, Infrastructure and Communities portfolio, will administer the federal contribution to this project on behalf of the Government of Canada. Our mandate is to work with provinces, territories, municipalities, the private sector and non-profit organizations, along with other federal departments and agencies, to help build and revitalize the infrastructure Canadians need and use every day.

As the administrator of the federal contribution to the project, INFC is a responsible authority under the *Canadian Environmental Assessment Act* (CEAA) and a competent government authority under the Inuvialuit Final Agreement (IFA). Relying upon the scientific expertise of other federal government departments, INFC will coordinate the Government of Canada's response to the EIRB Panel Report, the purpose of which is to meet the requirements under both the CEAA and the IFA.

Since the determination of the significance of adverse environmental effects is directly linked to the successful implementation of mitigation measures and the design and implementation of a follow-up program is a requirement of the CEAA INFC recommends that the Developer establish a technical working group such that it can report regularly to

all relevant Parties during the regulatory, construction and operation phases of the project, should it be approved. INFC recommends that, as part of the meetings of this working group, the Developer provide regular updates to the table of commitments during the life of the project in a format agreed upon by the working group. INFC has relied on the expertise of other parties with respect to the issues and will play an oversight role in the monitoring and follow-up phase.

Should you have any questions please do not hesitate to contact Phoebe Miles at (613) 948-8160 or phoebe.miles@infc.gc.ca.

Thank you,

A handwritten signature in dark ink, appearing to read 'Julie-Anne Marcoux', with a stylized, cursive script.

Julie-Anne Marcoux
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FINAL SUBMISSION

Hamlet of Tuktoyaktuk, Town of Inuvik and Government of the Northwest Territories Inuvik to Tuktoyaktuk Highway Project

Submitted to:
Environmental Impact Review Board
October 29, 2012

From:
Infrastructure Canada

Acronyms and Definitions

AANDC

CEAA

DFO

EC

EIRB

FJMC

IFA

INFC

WMAC

Party Identification

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Introduction

Infrastructure Canada (INFC) is responsible for federal efforts to enhance Canada's public infrastructure through investments in provincial, territorial and municipal assets, engagement in key partnerships, and the development and implementation of sound policies. The department's mandate is to help ensure that Canadians benefit from world-class public infrastructure from coast to coast to coast.

As a funding partner, INFC is a responsible authority under the Canadian Environmental Assessment Act (CEAA) and a competent government authority under the Inuvialuit Final Agreement (IFA). INFC will coordinate the Government of Canada's response to the Environmental Impact Review Board's (EIRB) Panel Report, the purpose of which is to meet the requirements under both the CEAA and the IFA.

In accordance with CEAA, subject to approval by Governor in Council, INFC, along with the other responsible authorities, must ensure that the mitigation measures are implemented and that a follow-up program is designed and implemented.

Issues Tracking

Throughout the EIRB process, INFC has been tracking the environmental issues and concerns raised by all Parties. In particular, INFC has followed the issues and concerns as required under CEAA and the IFA. It is not within INFC's purview to comment on whether other Parties issues have or have not been satisfactorily addressed; however, INFC notes that all federal parties have indicated that, should their recommendations be followed and should the appropriate mitigation measures be implemented, the environmental impacts of the project can be effectively managed.

Specific Comments

The Developer has made numerous references to monitoring and follow-up in the Environmental Impact Statement (EIS) and supplemental filings¹ and has indicated via the submission of the Table of Commitments and preliminary plans that they are committed to implementing all mitigation measures, to providing appropriate plans as part of an over-arching Environmental Management Plan (EMP) and to designing and implementing a follow-up program that will verify the accuracy of the predictions made in the EIS and determine the effectiveness of mitigation measures. The scope of the follow-up program and the extent of the monitoring plan is not yet clear. Will the follow-up program form a part of the EMP? What specific environmental effects will the follow-up program focus on? Section 7.0 of the EIS makes reference to adaptive management. How will adaptive management be used in the context of the follow-up program?

¹ Draft EIS (Section 7.0), Table of Commitments (28Sept2012), Preliminary Draft Wildlife Protection Plan(5Oct2012), Draft Wildlife Effects Monitoring Plan (5Oct2012)

Since there will be multiple jurisdictions involved during the life of the project, an integrated approach to implementation would lend itself well to cooperation and collaboration. INFC recommends that the Developer provide a clear strategy for monitoring and follow-up such that all parties understand the path forward. The Developer is in an appropriate position to oversee and coordinate a technical working group that would ensure all relevant Parties are informed and can provide appropriate input as required.

Recommendations

INFC recommends that the Developer establish a Monitoring and Follow-up Technical Working Group such that it can report regularly to and integrate input as required from all relevant Parties during the regulatory, construction and operation phases of the project, should the project be approved.