



## **WILDLIFE MANAGEMENT ADVISORY COUNCIL (NWT)**

October 29<sup>th</sup>, 2012

To: The Environmental Impact Review Board

### **Final Submission**

#### **WMAC's Review To Date - A Summary**

The Environmental Impact Statement (EIS) Terms of Reference for the proposed Inuvik to Tuktoyaktuk Highway (ITH) were posted onto the Environmental Impact Review Board's (EIRB) website in November 2010. The Developer's draft EIS was posted onto the website during June 2011. WMAC's first response to the EIS was made during the EIRB's Conformity Review and included criticism of the short temporal boundary (10 years) chosen by the Developer for the CEA. EIRB (October 2011) also identified other critical wildlife information needs that had not been satisfied including biophysical baseline information, impact assessment of biophysical components, and effects monitoring.

WMAC then reviewed the final EIS in depth with the assistance of an experienced, independent, arm's length environmental consultant. Its main findings included (February 2012):

- An insufficient Cumulative Effects Assessment (CEA).
- The exclusion of other past, current, and future developments.
- The exclusion of potential indirect effects of the road.
- Insufficient temporal and spatial boundaries for the CEA.
- An underestimate of the potential cumulative effects of the road on two key VECs - caribou and grizzly bear.
- An underrated Worst Case Scenario (WCS) – WMAC suggested an alternative that proposed the disruption and/or loss of caribou harvest over an extended period of time, which the Developer later conceded was a valid potential alternative WCS.
- A weak ecological follow-up and monitoring program.

WMAC also later highlighted these deficiencies at both technical and public meetings in Inuvik and Tuktoyaktuk.

In response to these and other criticisms and suggestions, the Developer recently submitted a revised CEA (September 2012) and produced a draft Wildlife Effects Monitoring Program (WEMP) dated October 2012. WMAC reviewed these documents and submitted further Information Requests to the EIRB regarding their content (October 15). WMAC received responses and clarifications for these from the Developer and GNWT Environment and Natural Resources (ENR) on October 23. Most of these have been helpful, although much of what was provided needs to be included within the final version of the WEMP.

Despite responses and some changes from the Developer on these topics, WMAC still believes the EIS, as well as subsequent materials submitted to date, to be below standard for what should be acceptable in the Inuvialuit Settlement Region (ISR) and indeed the NWT as a whole.

### **Preferred Scenario**

The key question remaining for WMAC is whether or not the WEMP is up to the task of detecting effects of the ITH on wildlife in the years to come. It is WMAC's understanding, from the latest statements by the Developer, that if construction began this winter (2012/2013) it would include mostly preliminary activities that will not affect the length of the entire corridor, and that new road construction in earnest would not begin until the winter of 2013/2014:

*Subject to a (sic) receiving a positive Decision Report from the EIRB, the Developer's current plan is to initiate late winter 2012/13 upgrading of the existing Tuktoyaktuk to Source 177 Access Road and the upgrading of the existing Navy Road leading from Inuvik to KM 0 of the Highway at the end of Navy Road.*

If this becomes the case, this period before new road construction begins provides a critical window for collecting key wildlife information (e.g. pre-construction baseline data, caribou and grizzly bear GPS collaring, etc.) to not only augment the CEA, as it stands, but also more importantly, to fulfill the stated design of the WEMP as laid out by the Developer. The collection of sufficient pre-construction wildlife data is fundamental to a CEA and therefore extremely important. Without it, it will not be possible to determine the effects of the road on wildlife, as was the situation with the Dempster Highway. Without understanding effects, remediation and mitigation become little more than guesswork.

### **Concluding Statement – The Future**

WMAC is committed to both the wildlife and the people of the ISR. WMAC recognizes the social and economic importance of the ITH. The people want the road to be built, however, they have also stated that they want the wildlife resources of the area to be conserved for future generations. Despite the deficiencies of the EIS, WMAC believes that through a committed cooperative effort, long-term damage to wildlife and wildlife habitats can be minimized. Despite this, WMAC remains concerned that this EIS not set a

precedent for future environment assessment reviews of human developments in the ISR and throughout the Arctic.

The Developer's revised CEA continues to predict that the ITH will have no significant effect on wildlife. WMAC hopes that this prediction will stand the test of the effects monitoring program. Given the critical role that monitoring will play in future years, WMAC believes that all environmental effects monitoring of the project should be overseen by an independent board or body that would review and oversee the monitoring, results, and reporting activities of both the WEMP and the Wildlife and Wildlife Habitat Protection Plan (WWP). Such an approach already exists, for example, as part of the effects monitoring of the diamond mines in the NWT (the Independent Environmental Monitoring Agency for Ekati and the Environmental Monitoring Advisory Board for Diavik). WMAC would be pleased to serve on such a board and encourages others concerned with the conservation of our important wildlife resources to do the same.

### **Recommendations**

1. That sufficient baseline wildlife information and data be collected prior to the construction of any new road mileage to enable an effect of the ITH on wildlife to be detectable, should it occur.
2. That WMAC be closely involved with completing the design of the WWP for both construction and operations phases, and the final design of the WEMP.
3. That a body, independent of the Developer, be created to oversee the activities of both the WWP and the WEMP, and that the WMAC fully participate on such a body. The Developer should finance the functioning of this independent, oversight body.