

## Response to Information Requests received from the Sahtu Land Use Planning Board on April 9, 2014

**Request # 1** “Review of project shape files show the preferred route passing through Zone 62-Willow Lakes Wetlands Special Management Area near zone 32 – Bear Rock Conservation Zone. This zone is not included in the PDR, please clarify. (CR 1, 14)”

**Response:** After further analysis, the GNWT concurs that the route (which is in the existing winter road Right of Way at this location) does pass through approximately 4 km of Special Management Zone 62. Mitigative measures proposed for the MVFL are consistent with the protection of the values to be protected, respected and taken into account in Zone 62.

**Request # 2** “Provide copies of route maps that were presented at community consultations informing that the proposed route would pass through the SLUP conservation zones (CR 2, 14)”

**Response:** The MVFL is not located in any conservation zones. Maps presented at community consultations have been provided through an FTP link.

**Request # 3** “The PDR references existing and proposed linear land use activities through the Central Mackenzie Valley. Please identify the Departments, agencies or organizations that have been consulted in this shared corridor. Explain the Department of Finance’s level of coordination with these entities to limit conflicting land use activities. Verify that access has been granted for use of the ROWs and drilling areas as proposed. (CR 1, 14)”

**Response:** As indicated in the PDR, the MVFL route is approximately 1,130 km in length, of which approximately 808 km are within existing public highway or municipal road Rights of Way. The length of the MVFL within the Sahtu Settlement Area is approximately 532 km with approximately 364 km of that distance located on the existing winter road Right of Way. Between Fort Good Hope and the border with the Gwich’in Settlement Area, approximately 80- 90 km of the proposed MVFL route is located on surface Sahtu Settlement Lands.

The GNWT has engaged with Departments, agencies and organizations with a responsibility for or interest in the management of lands along the proposed MVFL route, including:

- Aboriginal Affairs and Northern Development Canada
- GNWT Departments of Land, Municipal and Community Affairs and Environment and Natural Resources
- Municipal governments
- Sahtu Secretariat Incorporated  
Sahtu Land Use Planning Board
- Yamoga Land Corporation
- Fort Good Hope Metis #54 Land Corporation

- Fort Good Hope Renewable Resource Council
- K’ahsho Got’ine Land Corporation
- Tulita Land Corporation
- Fort Norman Metis #60 Land Corporation
- Tulita District Land Corporation
- Tulita Renewable Resources Council
- Norman Wells Land Claimant Corporation
- Norman Wells Renewable Resource Council

Section 5, including Table 5-1, of the Project Description Report summarizes the engagement record for the MVFL.

During the planning studies for the Mackenzie Valley Highway and the environmental review of the Mackenzie Gas Project, participating governments, agencies, industry and Aboriginal groups agreed on the concept of a single transportation and infrastructure corridor in the Mackenzie Valley to accommodate the proposed highway, fibre optic line and gas pipeline. A proposed corridor for the MGP and Mackenzie Highway have been identified but not formally designated. The likelihood of a gas pipeline development in the near future is limited. The GNWT has communicated its intention regarding the location and construction schedule for the MVFL with all levels of government and Aboriginal groups. As proponents of both the MVFL and future Mackenzie Highway development the GNWT is coordinating its approach to both projects and plans to locate them in the same corridor as previously indicated. The GNWT maintains right of access to the Rights of Ways for the all-weather and winter roads under the *Public Highways Act*. The GNWT is currently negotiating access to Settlement Lands with the K’ahsho Got’ine Land Corporation and the Gwich’in Tribal Council. Territorial Lands, lands outside of the Rights of Way and the Settlement Lands will be acquired from the GNWT Department of Lands.

**Request # 4** “The PDR references traditional land uses. These are cited from previously conducted studies for other projects, in particular the PDRs for the Mackenzie Valley Highway all weather extension (PDR 4.9.2). Clarify if any original Traditional Knowledge studies were conducted specifically for this project documenting traditional land uses. Provide copies of traditional knowledge studies and/or interviews with land users. (CR2)”

**Response:** The GNWT entered into Contribution Agreements with organizations representing Dene and Metis along the proposed Mackenzie Valley Highway (MH) Infrastructure Corridor to complete the Highway PDRs for their respective territories. During the preparation of the Highway PDRs, the Aboriginal groups collected and presented Traditional Knowledge for the project, which at the time the Highway PDRs were prepared, included the fibre optic cable as a component of the development. The GNWT has not collected Traditional Knowledge specific to the MVFL project, and are instead relying on Traditional Knowledge collected during the preparation of the Highway PDRs, which included the fibre optic cable component.

**Request # 5** “As understood, field studies and route investigation activities are not complete (PDR 3.7). Describe how traditional knowledge will be collected and incorporated into

field studies and what methods of community engagement will be used in determining final route selection (CR2). In particular:

- All activities occurring in the Fort Good Hope – Colville Lake Group trapping Area (CR 2,14)
- Identification of potential archaeological and burial sites (CR2, 4, 14)
- Identification of locations of rare plants and sensitive features (CR 2, 7, 14)
- Engagement with Renewable Resource Councils and Sahtu Renewable Resource Board on wildlife and wildlife habitat and harvesting sites (CR 2, 7, 14)
- Engagement with families and traditional users regarding special management and conservation zones and their use in those zones for firewood and timber collection, hunting, trapping, berry picking, fishing , recreation, boating, transportation and trails and/or who may have cabins, camps or outposts (CR 2,14)”

**Response:** Within the Sahtu Settlement Area, the MVFL is proposed to be routed in the existing Right of Way for the winter road in the Tulita and K’ahsho Got’ine districts and the 1 km corridor identified for the MH Infrastructure Corridor north of Fort Good Hope in the K’ahsho Got’ine District. As noted in Response #4, the GNWT sponsored the preparation of the PDR by the K’ahsho Development Foundation (KDF). During the preparation of the PDR, the KDF engaged traditional knowledge holders and others in various aspects of project planning including route selection.

The MVFL will follow the same route selected for the MH Infrastructure Corridor by the KDF, which incorporated Traditional Knowledge in its selection. In particular, the Highway PDR for the K’ahsho Got’ine District states “The preferred route for the KGH (Mackenzie Highway) project will follow the stakeholder preferred route except in the Arctic Red Plain where the preferred route will be shifted up to 500 m from the eastern boundary of the MGP corridor to take advantage of more favourable ground conditions” (KDF, p 164, 2012. The MVFL is following the route proposed by the Sahtu Dene and Metis.

In addition, the GNWT also engaged with the public and Sahtu Dene and Metis organizations on several occasions prior to submittal of MVFL project applications. Table 5-1 of the MVFL PDR (appended) contains a summary of engagement. Section 5 of the PDR contains an overall summary of the results of the engagement. Appendix I of the MVFL PDR contains copies of the presentations delivered during community engagement sessions and summary notes of each of the sessions.

The contractor selected to Design, Build, Finance, Operate and Maintain (DBFOM) the MVFL will be responsible for selecting the final specific routing within the 1 km MH Infrastructure Corridor. Once a contractor is selected and further details are provided on preferred final routing and location of activities, the GNWT and the contractor will travel to each community to meet with the public and local organizations, such as the Renewable Resources Councils (RRC to discuss this information). This will provide further opportunity for organizations and community input on rare plants, sensitive features, wildlife, wildlife habitat, harvesting and traditional land use along the preferred route.

As committed to in the PDR for the MVFL, the GNWT will undertake an archaeological impact assessment (AIA) prior to construction. The AIA will be implemented under permit from and with the involvement of the Prince of Wales Northern Heritage Centre (PWNHC). Mitigations will conform to the NWT Archaeological Sites Regulations and the provisions of land use plans, permits and licences. The AIA will be initiated this spring

with field work planned for summer 2014, following identification of the preferred route in the MH Infrastructure Corridor. The GNWT will involve Sahtu Dene and Metis in the planning and execution of the AIA.

The GNWT reviewed the Sahtu Land Use Plan during project planning and preparation of regulatory applications and supporting documentation. The values to be protected, respected and taken into account for the different land use zones have been considered in project planning to date. The assessment of potential effects resulting from the MVFL on the biophysical and human environment has determined that potential residual effects resulting from the project will be none to low and are not considered significant.

**Request # 6** “Please explain how the GNWT intends to provide for the ability of Sahtu Dene and Metis (Participants) to participate in the economic aspects of the activity being proposed and how this will protect and promote the economic wellbeing of the Participants (CR3)”

**Response:** The objective of the MVFL Project is to improve telecommunications infrastructure in the Mackenzie Valley, connecting communities with a high speed large capacity fibre optic telecommunications cable to replace the lower capacity and costlier to maintain microwave systems currently serving the communities. The MVFL will enable improved delivery of government services including Telehealth and distance education and will support regional economic growth and diversification in the private sector. The MVFL will also meet the needs of the expansion of the Inuvik Satellite Station Facility for the rapid transmission of satellite data to customers’ worldwide, providing economic growth and research opportunities.

In addition to the benefit of improved telecommunication infrastructure and services to residents and communities in the Sahtu, the GNWT is undertaking to provide additional benefits, including:

- Negotiating an Access Agreement with the K’ahsho Got’ine Land Corporation
- Providing an incentive to bidders on the DBFOM contract to utilize local labour, equipment and services during construction and operational phases of the project
- Involvement of community representatives in the Archaeological Impact Assessment Study

**Request # 7** “Please advise if the GNWT has engaged any of the Designated Sahtu Organizations that represent Sahtu Dene and Metis (Participants) on the economic aspects of the activities and which organizations those are and the status of that engagement (CR3)”

**Response:** The GNWT contacted the Sahtu Secretariat Incorporated (SSI), as the collective representative of the seven Land Corporations (Designated Sahtu Organizations) to offer an opportunity for equity participation in the project. A confidentiality agreement was signed by SSI to view the business case. Discussions with SSI representatives have occurred however no formalized investment agreement has been signed to date. The GNWT is negotiating an Access Agreement with the K’ahsho Got’ine Land Corporation for access to Settlement Lands in their district.

**Request # 8** “Please advise if this engagement has resulted in any signed agreements in the nature of what are commonly called “Benefits Agreements”. If so please advise which organizations those agreements are with (CR3)

**Response:** The GNWT is currently negotiating a Land Access Agreement with the K’ahsho Got’ine Land Corporation. It is expected that the Agreement will be concluded shortly. The GNWT has been in contact with the Sahtu Secretariat Incorporated (SSI), as the collective representative of the seven Land Corporations (Designated Sahtu Organizations) to offer an opportunity for equity participation in the project. A confidentiality agreement was signed by SSI to view the business case. Discussions with SSI representatives have occurred however no formalized investment agreement has been signed to date.

**Request # 9** “Describe the analytical methods used to assess the socio- economic impacts to the Sahtu as a region and/or for individual Sahtu communities. Provide a copy of the September 20, 2012 Mackenzie Valley Fibre Link Socio- economic Analysis report conducted by CRG Consulting cited in PDR Section 3.9.2. (CR3)

**Response:** The analytical methods used to assess the potential socio-economic (and biophysical) effects of the project are explained in detail in Sections 6.2 – 6.6 of the MVFL PDR. In summary this method involves:

- Identification of the geographic (spatial) and duration (temporal) boundaries for the assessment (what is a reasonable extent of the area potentially affected by the project and for what duration might effects occur)
- Selection of Valued Components (VCs) of the biophysical and human environment as considered important by local communities, technical specialists and regulatory agencies. These VCs are the focus of the assessment
- Identification of potential interaction between project activities and the VC
- Description of mitigations that can be applied to reduce the interactions and/or effects of those interactions on the VC
- Assessment of the residual effects on the VC following the application of mitigations
- Assessment of potential cumulative effects for VCs where a residual effect is determined

This methodological approach is consistent with current environmental assessment methodology and the Environmental Impact Assessment Guidelines issued by the Mackenzie Valley Environmental Impact Review Board (MVEIRB 2004).

The CRG report was prepared to assist the GNWT with its determination about how to procure the MVFL and contains confidential information. Should the Sahtu Land Use Planning Board have a specific question about the report, the GNWT will respond accordingly.

**Request # 10** “PDR Table 4-40 identifies previously recorded archaeological sites within 1 km of the proposed route. Describe measures that have been developed in cooperation with the Prince of Wales Northern Heritage Centre, affected communities or affected families (in the case of burial sites) to mitigate archaeological sites within 150 m and burial sites within 500 m of the proposed route. (CR 2, 4)”

**Response:** As noted in Response #5, the GNWT intends to complete an AIA in advance of construction, once the preferred route is identified. The AIA will be implemented under permit from and with the involvement of the Prince of Wales Northern Heritage Centre (PWNHC). Mitigations will conform to the NWT Archaeological Sites Regulations and the provisions of land use plans, permits and licences. The AIA will be initiated this spring with field work planned for summer 2014 following identification of the preferred route in the MH Infrastructure Corridor. The GNWT will involve Sahtu Dene and Metis in the planning and execution of the AIA.

**Request # 11** “In the absence of baseline information collected through field studies and final route selection, explain how site specific monitoring programs are being developed. Describe the monitoring program(s) proposed. Providing details on where monitoring will occur, when and by whom. Provide input on how community input is being incorporated (CR 2, 11)”

**Response:** Monitoring the potential environmental effects of the project will occur in a number of ways. The Contractor selected for the project will be required to employ an environmental monitor from the community in whose traditional territory they are working. The role of the monitor will be to monitor the Contractor’s adherence to the terms and conditions of all permits or licences; commitments made by the GNWT; and commitments included in the Waste, Spill and Environmental Protection Plans prepared by the Contractor. In addition the GNWT will conduct periodic inspections of the construction to monitor compliance with contract conditions and environmental performance. At the end of each construction season the GNWT will inspect the work areas and advise the contractor of any remedial work necessary. The GNWT will also carry out annual aerial inspections for two years following construction along the MVFL route to determine if there are any unanticipated effects and will take action, with approval of permitting agencies, to remediate such effects.

**Request # 12** “Provide a record of consultation with users of the Little Chicago Area to ensure that proposed MVFL activities are scheduled and located as not to conflict with existing traditional uses and respects the wildlife and historical values as described in the SLUP (CR14)”

**Response:** As noted in Response #3, the GNWT met with the public and community organizations on several occasions in Fort Good Hope to discuss project activities and schedule. Participants were advised of the likelihood of using the Little Chicago Area as a barge landing and temporary stockpile site. No conflicts with existing land use were identified during any of these sessions. As noted above, once the Contractor has been selected, the GNWT and the Contractor will be engaging with communities to discuss specific

locations of activities and schedule. This will provide an opportunity for potentially affected users of the area to identify and discuss how the MVFL project may interact with existing land uses at Little Chicago.