

Meeting Minutes

TŁJCHQ ALL-SEASON ROAD CORRIDOR WORKING GROUP

July 7, 2020



Date: 07 July 2020

Time: 9:00am – 2:45pm Mountain Time

Location: Microsoft Teams and +1 867-675-1042 Conference ID: 515 456 994#

Attendees:

Anneli Jokela - WLWB
Benjamin Bey - INF
Cameron Wilson, Chair - INF
Catherine Fauvelle - NSMA
Damian Panayi - Golder
Dave Green - NSI
Devon Stephenson - NSI
Felix Cirelli - NSI
Ginger Gibson - TG
Grace Mackenzie - TG
Heather Beck - ENR
Lisa Nitsiza - CGB
James Hodson - ENR
Jean-Francois Dufour - ECCC
Jessica Pacunayen - WLWB
Jodi Pellissey - WRRB
Joyce Gourlay - INF
Keenan Rudichuk - AE
Laura Meinert - WRRB
Laurie McGregor - ENR

Marie Nietfeld - ENR
Michael Birlea - TG
Nancy Shaw - INF
Naomi Smethurst - ECE
Olivia Sroka - DFO
Paul Vecsei - TG
Salah Uddin - INF
Sarah Gillis - YKDFN
Sean Craig - FIN
Stephanie Behrens - TG
Tammy Steinwand-Deschambeault - TG
Terry Brookes - INF
Treeva Richardson - CGB
Tyanna Steinwand - TG
Violet Camsell-Blondin - TG
Yasir Jamal - INF
Zabey Nevitt - TG
Ziaur Rahman - INF
Jessica Hurtubise - NSMA

Regrets:

Adrian Paradis - CANNOR
Alexandra Sorckoff - DFO
Brandon Bradbury - GNWT
Department of Lands Bruno
Croft - ENR
Clint Ambrose - Lands
Daniel Coombs - DFO
Glen MacKay - ECE
Johanne Black - YKDFN
Longinus Ekwe - TG
Louisa Wedzin - CGB
Machel Thomas - YKDFN
Mark Cronk - INF
Mark D'Aguiar - DFO
Nancy En - AE
Robert Cornell - NSI
Sean Sharp - AE

1. Opening Prayer

Led by Tammy Steinwand-Deschambeault

2. Welcome and Opening Remarks

Tammy Steinwand-Deschambeault: Challenging months due to COVID-19 but ongoing commitment to the project, the environment, the safety of workers. Thanks to the GNWT for protective steps to keep COVID-19 out of small communities. People from Whati looking forward to TASR easing access to the rest of the territorial highway system, outside community looking forward to visiting Whati.

3. Introduction of Participants

- Round table of introductions from participants
- Welcome and greetings from chair Cameron Wilson (INF) serving in lieu of Infrastructure Assistant Deputy Minister David R. Moore.

4. Review of Agenda

- This meeting is for information sharing and to satisfy EA Measure 14-3.
- Wek'èezhì Land and Water Board members joining call later on to provide their update due to a morning schedule conflict.

5. Matters arising from previous Meeting Minutes, review of action items

- NSI to provide a list of next pits to be developed (to Naomi)
- NSI to update WRRB if construction occurs in any wetland areas
- Presentations to be shared with CWG prior to today

6. General Overview of TASR/Update on Construction activities and schedule

Felix Cirelli (NSI): Summary of COVID-19 strategies/mitigation measures implemented on site, arising from

WSCC, GNWT guidelines etc; updates on progress by segment with culvert, bridge and crushing status.

7. **BREAK**

8. **Regulatory Compliance: Updates, Expectations, Concerns, and Recommendations**

Tłıchǫ Government

- Michael Birlea: Working on Measure 6-1 recovery for boreal caribou with ENR; the Habitat Offset Plan, TG conducted traditional knowledge workshops which were used to develop the plan; Measure 8-1 Fisheries Management Plan getting started separately for La Martre and the corridor as a whole; Measure 10-2 Wildlife Management and Monitoring Plan, comments being compiled for ENR.
- Paul Vecsei: Working regularly with Michael Birlea on Measure 8-1, designing a document that resembles Inuvik Tuktoyaktuk Highway's version for the corridor. Corridor plan would have a different approach than Lac La Martre plan, which will determine the max sustainable harvest for economic benefits for the community. Increased angling pressure will require data gathering and research on annual fish take.
- Violet Camsell-Blondin: Monitoring applications with the help of new regulatory specialist hired in April. No major concerns on this application however the current 20 loads of water per day appears to be insufficient for dust suppression. A recent chopper landing problem cited dust issue.
 - Felix Cirelli (NSI): There is a limit of 299 cubic metres of water per day according to the Type B water license. That volume is split between compaction needs, dust suppression, etc. An application for the Type A water license is in process which would increase water limit but increased limits if approved would not come into effect until Fall. NSI taking note of the concern for now as there is a safety aspect.
 - Dave Green (NSI): Camp has been able to use some ditch water to supplement daily limits as well but need continues to exceed supply for now.
- Tyanna Steinwand: Working on TASR Caribou Monitoring Plan Measures 6-2, 7-1, 7-2, 9-1. Finalized scope and budget have been submitted. Establishing a group of 4 harvesters to help with baselines, planning volunteer harvester reporting program, and working toward a Tłıchǫ Staff checkpoint on road alignment during winter hunting season.
- Grace MacKenzie: Client Services department works on careers, scholarships, economic development, TG citizen enrolment; working regularly with NSI on flowing benefits to TG citizens through TASR. Great response to local ads, ongoing monitoring of TASR life in social media and attracting women workers to the project.
- Zabey Nevitt: Notes that the TG presentations just now demonstrate the effectiveness of the co-development relationship framework, which was provided by the treaty; feels that while the project has not been problem-free, it's important to note how effective and beneficial the co-development model has been.

Community Government of Whatì

- Lisa Nitsiza: Picking up after COVID-19, resuming imports; Whatì residents feeling some cabin fever. Requested information about the end point of the road and some aging crossings near the community.
 - Felix Cirelli: There is a tie-in point at km 97 where NSI's work ends. Not familiar with the crossing mentioned.
 - Ziaur Rahman: NSI is responsible for the road up to the winter road junction. After that, there is an existing road with a culvert concern. An inspection will take place this summer on that culvert. Cameron's maintenance team and Lisa will both be involved.

Wek'èezhì Renewable Resources Board

- Laura Meinert: Last week she and the conversation biologist toured the road and will be updating the board with photos and videos. Board will review the Fish and Fish Habitat Protection Plan. Reminded the group about lead time. Question about when the next WMMP will be provided to the board.
 - Dave Green: Bird nesting updates underway, expecting to submit next version of WMMP in a few weeks.
 - Jodi Pellissey: Reminder that a new WMMP will require public review so please keep timelines in mind.

Environment and Natural Resources

- Laurie McGregor: Will be providing updates later in the agenda in the WMMP presentation

Department of Lands

- Clint and Brandon unavailable to provide update due to being on site.

Environment and Climate Change Canada

- Jean-Francois Dufour joined the meeting later in the agenda. No update from ECCC.
- Fisheries and Ocean Canada
- Olivia Sroka: Currently keeping Kiewit compliant with regulatory fisheries act and work around watercourses. DFO looking to be on site in the coming weeks. Major work to take place on Fisheries Management Plan. Fraser Neave joining the team shortly and will lead that work on DFO's side.
- Wek'èezhìi Land and Water Board
- Anneli Jokela: Type B water license app received, preliminary screening; not recommended for further environmental assessment. Type A water license distributed for public review June 17th with work plan—no comments received. Pre-hearing conference on July 21, public hearing Thursday August 20th.

9. BREAK

10. Management and Monitoring Plans: Updates, Implementation, Outcomes, Constraints, Concerns, and Recommendations

Wildlife Management and Monitoring Plan

- James Hodson: In answer to an earlier question, there is an annual public review of the WMMP required under measure 10-2 Part 3, expected to be in August. Depending on the outcome, possible changes to WMMP will be made. Winter 2020 surveys focused on fulfilling Measure 6-1 Part 2, including aerial caribou abundance survey and an aerial wolf survey. Total 577 Boreal Caribou found within study area in 99 groups. Report is being prepared for official submission, and James thanks collaborating communities and staff.
 - Michael Birlea: When will the next survey be?
 - James Hodson: Likely during the first five years of TASR operations, but nothing is scheduled at this time.
 - Devon Stephenson: Were the survey results as expected?
 - James Hodson: The 2005 survey (with slightly different methods) suggested a density of 1.6 caribou per 100 square km, and 2.8/100 km² were found this time, so almost twice as many caribou were found using the method from the 2020 surveys.
 - Tammy Steinwand-Deschambault: Is there any prior data for the wolf populations to compare with the new data?
 - James Hodson: Nothing from North Slave, but in South Slave and Dehcho there were wolf surveys done in prior years. Generally, the wolf density is low in NWT, less than 1 wolf per 1000sqkm. Based on available data it would take 6 wolves per 1000sqkm to create problems for caribou density.
 - Jean-Francois Dufour: Are there any maps to show the TASR alignment's effect on caribou movement? Any observed results to share?
 - James Hodson: We have not yet analysed this; it will be part of the first comprehensive WMMP report which will come after the final year of construction (sometime in 2022). Collar data indicates caribou are crossing the alignment as they did before construction.

Environmental Plans update presented by Dave Green (NSI)

- Presented environmental plan update from NSI including spill data.
- Version 1.2 of Water Monitoring Plan submitted to WLWB December and approved March 2020; waste management has been greatly improved compliance via signage, training and monitoring.
- Project is compliant with Fish and Fish Habitat Protection Plan and Federal fisheries act, and following all measures and precautions for fish protection.
- The Erosion and Sediment Control Plan was modified to address winter 2020 construction progress; no issues to report in Spring 2020.
 - Jessica Hurtibise: Are the spill statistics for this project typical for its size?
 - Dave Green: Difficult to compare to other companies/projects, but NSI is operating under strict reporting rules therefore reporting more small spills than some other companies might. He is not alarmed by these numbers.

Quarry Operations Plan and Permafrost Management Plan – adaptation to thermistor monitoring presented by Terry Brookes (GNWT INF)

- ARD being rolled out in NWT quarries. Spoke with Clint Ambrose (Lands inspector) recently and Terry is happy with the Lands reports. NSI has been very responsive to incidents.
- Permafrost measurements paused during construction period. Original test pits were in the more forested areas and now that clearing has transformed the landscape to a more granular base, there will be erratic temperature changes. Monitoring will resume after construction is finished and the

ground has stabilized. Hopefully flagged thermistors survive alignment changes / construction; some new ones may be added. 4 sites out of 24 found with any permafrost (very warm). Predicted within ten years all permafrost will be gone, which will be relevant to the maintenance contractor.

- Stephanie Behrens: A couple of quarries were out of compliance in December. Have those issues been rectified?
- Terry Brookes: Yes, we took that information earnestly and reacted quickly. All noncompliant quarry issues have now been resolved and quarries brought into compliance.

Final Caribou Habitat Offset Plan presented by Keenan Rudichuk (AE)

- Purpose of the plan is to respond to Measure 6-3: to offset residual effects of TASR on boreal caribou with collaboration from territorial, federal, and Indigenous governments (the “Collaborators Working Group”). Offset is a new concept in the NWT, borrowing playbook from other parts of Canada therefore much of the draft plan describes the offsetting process. The final plan will be much more focused, drawing from comments we heard throughout the engagement process. The final plan will identify specific measures to offset the disturbance of habitat from construction and operation of the TASR.
- What’s completed: traditional knowledge working group meetings have taken place, scientific background review, draft plan distributed to groups identified in Measure 6-3 and a strategy was selected. New data has become available since the draft plan. We have mapped the existing disturbance along the alignment. Previously there was no way to quantify the value of the habitat being affected, but ENR has since produced a boreal caribou habitat model to determine how much boreal caribou habitat will be disturbed by TASR and how much/what parts of it are important to the caribou.
- Challenges right now: Outstanding data gaps include the areas that will be affected by quarries (21 are proposed, 11-14 to be developed). Pit lines they have currently are conceptual. Uncertain of the total affected footprint so difficult to quantify the offset right now. Using conceptual design for quarry pit design overestimates the total area that may be disturbed, which translates to an overestimate of area required to be offset, which results in a more costly and inaccurate offsetting estimate.
- Next steps: After today, finalize the plan and deliver to all parties for comment, then official submission to WRRB 90 days prior to public opening. Continued collaboration and consultation with gov’ts (via phonecalls and screensharing) to describe the approach being taken to quantify residual effects of the TASR in the final offset plan. An Operational Implementation Plan (separate from the Habitat Offset Plan) will be required to identify specific personnel, locations, and cost estimates to conduct offsetting. Once the Implementation Plan has been finalized, it will be executed.

11. Engagement Plan

- Engagement triggers that we are required to be discuss at the CWG presented by Benjamin Bey
 - Harvest monitoring study design- EA Measure
 - Weekly updates from the Project Company regarding location and types of activities taking place during construction – WLWB direction
 - Extent of wetlands (potential moose habitat)- NSMA
 - Ongoing performance of blasting protocols – TG comment
 - Bison entering Whatì - CGW
- Benjamin Bey: NSI’s Bison observation in the southern 40 kms of road matches James Hodson’s team’s data. If bison migrate closer to Whatì using the road alignment, measures such as Texas gates could be employed.
 - Dave Green: More bison sightings observed in the southern area but that may be because most operations are currently there. Texas gates are effective but it should be noted that bison also cross ice and can swim.
 - James Hodson: It’s early to draw conclusions because the right-of-way is just being cleared now, and that bison are attracted to vegetation that grow in the right-of-way. Further monitoring in future needed.
 - Stephane Behrens: Whatì residents have noted bison within 20kms of Whatì. Wondering what other sightings have been noted and where? Is this being monitored?
 - James Hodson: It’s unusual to have them that far north. Monitoring will continue.
 - Benjamin Bey: Measures can be put into place with the help of ENR and Whatì to continue collecting data.

12. BREAK

13. Summary of meeting and expectations for next year

Summary:

- Parties have made many adaptations as a result of COVID-19 at the TASR work site to keep everyone safe
- The Type A water license application is moving forward which will increase the volume of water that can be used, as per the details in the WLWBs work plan
- Ongoing collaboration and work to meet the various EA measures and to develop the required plans
- A few plans will soon be sent for review; the WMMP will be updated with bird nest protocols in the coming weeks, the Habitat Offset Plan will be sent for review to the collaborators group before it goes to the WRRB for its final review 90 days before the road opens, the Fisheries Management Plan is being developed.
- Compliance issues in the quarries have been resolved.

Action Items:

- INF to develop a plan to tie in from the road to Whatì at kilometer 97 and bring Lisa from the CGW on the site visit
- NSI is to take note of Violet's dust suppression issue as NSI and INF work towards the Type A licence
- Continue to monitor bison movements regarding proximity to Whatì as construction progresses
- INF to update the agenda for the next meeting to remove the adoption of meeting minutes

Expectations for next meeting:

- Ziaur Rahman: continued environmental safety and COVID-19 safety remain top priority. Keep progressing the road with environmental stewardship in mind. Collaboration with stakeholders to push forward.
- Zabey Nevitt: The motion to adopt the previous meeting minutes should be removed, the Terms of Reference does not have any provisions for that formality. Once they are reviewed by the group they should be considered final.

14. Discuss possible dates for next meeting

- Next meeting tentatively scheduled for Tuesday December 1, 2020, if COVID-19 restrictions allow.
- Lisa Nitsiza confirms Whatì can host if restrictions are lifted.

15. Closing Remarks

- Benjamin Bey is looking forward to driving 80kmh to Whatì
- Devon Stephenson is looking forward to continued feedback on future NSI reports and presentations, and thanks to the group for its attention
- Cameron Wilson thanked the group for their collaboration, invited final remarks, and looks forward to seeing folks in December

16. Closing Prayers

Led by Tammy Steinwand-Deschambault

Meeting Adjourned: 2:45pm MT

Legend:

AE - Associated Engineering / Associated Environmental
ARD - Acid Rock Drainage
CANNOR - Canadian Northern Economic Development Agency
CGB - Community Government of Behchokò
CGW - Community Government of Whatì
DFO - Department of Fisheries and Oceans
EA - Environmental Assessment
ECCC - Environment and Climate Change Canada
ECE - GNWT Dept of Education, Culture and Employment
ENR - GNWT Dept of Environment and Natural Resources
FIN - GNWT Dept of Finance
INF - GNWT Dept of Infrastructure
Lands - GNWT Department of Lands
NSI - North Star Infrastructure
NSMA - North Slave Métis Association
TG - Tlicho Government

WLWB - Wek'èezhì Land and Water Board
WMMP – Wildlife Management and Monitoring Plan
WRRB - Wek'èezhì Renewable Resources Board
WSCC – Workers' Safety and Compensation Commission
YKDFN - Yellowknives Dene First Nation