



JAN 19 2018

Mr. Simon Toogood
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
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PO BOX 938
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Dear Mr. Toogood:

EA1617-01 Tłıchǰ All-season Road: Government of Northwest Territories' Closing Arguments

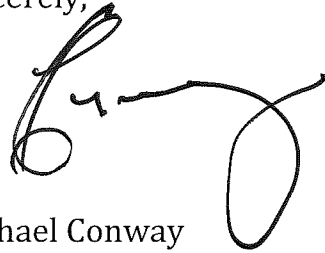
Please find enclosed the Government of Northwest Territories' (GNWT) Closing Arguments for the Tłıchǰ All-season Road's (TASR) environmental assessment. The GNWT believes that any likely significant adverse impacts will be prevented with the TASR as currently proposed, including the commitments made by the GNWT. Consequently, the GNWT is of the view that the Mackenzie Valley Environmental Impact Review Board (MVEIRB) should determine under section 128(1) (a) of the *Mackenzie Valley Resource Management Act* that the TASR can proceed without any measures.

The GNWT would like to thank the MVEIRB and all Parties for their participation in the TASR environmental assessment and the constructive and informative dialogue that has occurred throughout the process. The GNWT looks forward to further engagement with these Parties through the permitting, construction and operations phases of the TASR Project, and will continue to work with the community of Whatı and other interested Parties to maximize the benefits that the TASR Project will provide.

.../2

If you have any questions or comments, please contact me at (867) 767-9089 ext. 31194 or by email at Michael_Conway@gov.nt.ca at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Conway', with a large, stylized flourish at the end.

Michael Conway
Regional Superintendent
North Slave Region
Department of Infrastructure

Attachments

Closing Arguments
from the
Government of the Northwest Territories
for the
**Tłıchǵ All-Season Road Environmental
Assessment**

Prepared for the
Mackenzie Valley Environmental Impact Review Board

EA1617-01

19 January 2018

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Abbreviations and Units of Measure

Abbreviation	Definition
%	percent
ASR	Adequacy Statement Response
CEAMMF	Cumulative Effects Assessment, Monitoring and Management Framework
DFO	Fisheries and Oceans Canada
EA	environmental assessment
ECCC	Environment and Climate Change Canada
GNWT-ENR	Department of Environment and Natural Resources [for the GNWT]
GNWT	Government of the Northwest Territories
IGO	Indigenous Government Organization
IR	information request
ITHCWG	Inuvik Tuktoyaktuk Highway Corridor Working Group
km	kilometre
MVEIRB	Mackenzie Valley Environmental Impact Review Board
NSMA	North Slave Métis Alliance
NT1	The Northwest Territories boreal caribou range, one of 51 ranges across Canada, encompassing the boreal regions of the Northwest Territories and covering 44,166,546 ha. Defined in the Recovery Strategy for Woodland Caribou, Boreal population in Canada.
NWT	Northwest Territories
P3	Public-private partnership
PDR	Project Description Report
RCMP	Royal Canadian Mounted Police
STI	Sexually Transmitted Infection
TASR	Tłıchǵ All-Season Road
TASR Project [or Project]	Tłıchǵ All-Season Road Project
TCSA	Tłıchǵ Community Services Agency
TK	Traditional Knowledge
WLWB	Wek'èezhì Land and Water Board
WMMP	Wildlife Management and Monitoring Plan
WRRB	Wek'èezhì Renewable Resource Board
YKDFN	Yellowknives Dene First Nation

1 INTRODUCTION

The Government of the Northwest Territories (GNWT) is proposing the construction of the Tłıchq All-Season Road (TASR) Project, linking the community of Whatì to Highway 3. Applications were submitted to the Wek'èezhì Land and Water Board (WLWB, files W2016E0004 and W2016L8-0001) in March 2016. An environmental assessment (EA) was initiated by the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for the TASR Project in July 2016 (file number EA1617-01), based on the applications and a Project Description Report (PDR [PR#43](#)), leading to the MVEIRB Terms of Reference ([PR#69](#)) and Adequacy Statement ([PR#70](#)). Following this, the GNWT submitted an Adequacy Statement Response (ASR) to the MVEIRB in April 2017, which includes the most current description of the proposed Project. Since the completion of the ASR, the GNWT has provided responses to information requests (June and July 2017), responded to technical reports, and attended the Technical Sessions hosted by the MVEIRB in Behchokò from 15 to 17 August 2017 and the Public Hearings in Whatì from 15 to 17 November 2017. Further to this, there have been information filings and meetings with all Parties to the EA, all of which are available on the MVEIRB Public Registry for EA1617-01.

The GNWT believes that any likely significant adverse impacts will be prevented with TASR as currently proposed, including the commitments made by the GNWT. Consequently, the GNWT is of the view that the MVEIRB should determine under section 128(1)(a) of the *Mackenzie Valley Resource Management Act* that TASR can proceed without any measures.

The GNWT would like to thank all of the Parties to the EA for their participation in the TASR EA and the constructive engagement that has improved the Project. The GNWT looks forward to further engagement with these Parties through the permitting, construction and operations phases.

The GNWT has reviewed and considered the Closing Arguments provided by each of the Parties listed below, and respectfully submits this Developer's Closing Argument to the MVEIRB to describe the Developer's position on the Parties' Recommendations to the MVEIRB.

- Environment and Climate Change Canada (ECCC)
- Fisheries and Oceans Canada (DFO)
- Natural Resources Canada
- North Slave Métis Alliance (NSMA)
- Tłıchq Government

- Wek'èezhì Renewable Resource Board (WRRB)
- Yellowknives Dene First Nation (YKDFN)

To facilitate cross-referencing of the Parties' Recommendations with this document, a concordance table listing all recommendations is provided in Appendix A. A list of all Developer commitments to date is provided in Appendix B.

This document includes the following sections:

- Section 1: Introductory and background information
- Section 2: Discussion of wildlife, fisheries and land use issues
- Section 3: Discussion of socio-economic issues
- Section 4: Closing remarks

This document refers to documents by their public registry number (i.e., the PDR is referred to as [PR#43](#)) to facilitate cross-referencing with the PDR and other relevant documents already submitted to the MVEIRB public registry for EA1617-01.

1.1 Engagement and Consultation

The GNWT has developed an Engagement Plan ([PR#43](#)) that describes the triggers and the means of engagement with interested Parties in accordance with the Mackenzie Valley Land and Water Board Engagement Consultation Policy and Guidelines. Extensive community engagement, regarding the Project, has occurred with the Tłıchq communities dating back to 1983 and more recently with the Tłıchq Government. Commitments from the Tłıchq Government and the Community Government of Whatì have also been made to facilitate continual engagement with Tłıchq citizens ([PR#216](#)). The GNWT has actively engaged with all interested Parties in the lead up to permit applications and through the EA process. The GNWT responded to questions posed outside of the EA process from Parties, such as NSMA and WRRB, and filed this information with MVEIRB. The GNWT also hosted document review meetings (ASR and WMMP) with Parties, such as YKDFN and NSMA, which enabled the GNWT to consider Parties' comments and adopt their recommendations where Parties were in agreement. An updated GNWT Engagement and Consultation Log for the time period between 31 October 2017 and 19 January 2018 has been attached as Appendix C.

As stated above, the GNWT also looks forward to ongoing engagement with Parties through the TASR Project permitting, construction and operations phases.

In response to the point made from the bottom of page 4 to the top of page 5 in YKDFN's Closing Argument ([PR#283](#)), the GNWT does not and never has disputed that the MVEIRB has the authority to consult and accommodate Indigenous governments and organizations (IGOs). In fact, the GNWT has noted that it relies on the MVEIRB's EA process to assist in fulfilling the duty to consult and accommodate (Response to Technical Report and October 7, 2016 letter to YKDFN ([PR#49](#)) as two examples).

1.2 Traditional Knowledge

The GNWT understands the importance of traditional knowledge to all Parties, and has actively engaged traditional knowledge holders to incorporate this information in the Project.

Traditional knowledge has been integrated into many diverse aspects of the Project design and assessment, as described in the PDR ([PR#43](#) Section 5) and in the ASR ([PR#110](#) Section 2.4). A key example is the K'agòdo tı̀lì Deè: Traditional Knowledge Study for the Proposed All-Season Road to Whatì ([PR#28](#)). Traditional knowledge was used to select the TASR routing, define study areas and wildlife habitat preferences for the effects assessment, inform mitigation and monitoring, and to assess impacts. The GNWT has made commitments to continue incorporation of traditional knowledge (Appendix B Tables B-1 to B-3) such as the following:

- The GNWT will support the Tłıchq Government in the design and implementation of a program that uses Tłıchq harvesters' traditional knowledge.
- The GNWT will support traditional knowledge methods to monitor the health of boreal caribou and the state of their habitat, and the state of barren-ground caribou winter habitat, during and after the completion of the TASR.
- There will be regular, face-to-face meetings with the Tłıchq Government to support the integration of traditional knowledge and western science monitoring perspectives throughout the process.
- The GNWT will review traditional knowledge of the harvesters and elders from existing Tłıchq programs in order to inform adaptive management and revise or change mitigations as indicated by the research.
- The GNWT will consider the NSMA traditional knowledge study that is currently in preparation when making decisions about the WMMP and discuss how NSMA could participate in traditional knowledge-based monitoring programs for the WMMP.

The GNWT would be respectful of traditional knowledge research by YKDFN in the Project area. However, as set out in Section 3.3 below, and in the first paragraph of section 5.0 of the Tłıchq Government's Closing Argument ([PR#284](#)), TASR will facilitate rather than deter traditional land uses and thus retention and conveyance to future generations of traditional knowledge in the TASR area. As such, TASR will not likely have a significant adverse impact on YKDFN's traditional land use in the area and a MVEIRB measure on this issue is not warranted.

In addition to the collaborative initiatives listed above, the Tłıchq Government has made the following commitments to ongoing involvement of traditional knowledge ([PR#216](#) Appendices C, D and E and [PR#284](#)):

- ground truth the traditional trails and trapping routes from the Traditional Knowledge study ([PR#28](#)) prepared for the Project
- use traditional knowledge to monitor fish and fish habitat at TASR stream crossings

1.3 TASR Corridor Working Group

As described previously ([PR#239](#)) and discussed during the Public Hearing ([PR#272](#)), the GNWT has committed to establishing a Corridor Working Group to act as a forum for information exchange. It will include the GNWT, regulatory boards and government departments, IGOs, interested parties, and contractor representatives, with the Developer (GNWT-Infrastructure) as chair. It is anticipated that the Corridor Working Group will meet twice per year; will operate for the construction period and up to 5 years of highway operations, unless an extension is agreed to by its parties; and will provide advice on monitoring and mitigation results that will inform adaptive management. The Corridor Working Group may also serve as a forum to exchange information with academic parties and researchers. The Corridor Working Group will be modeled off the Inuvik Tuktoyaktuk Highway Corridor Working Group ([PR#237](#)), which has been effective at dealing with issues and well received by parties (see for example [PR#273](#) page 167). Additional specifics pertaining to the functions and operations of the Corridor Working Group will be laid out in the Group's terms of reference which will be established when the Group is formed.

The Tłıchq Government and Wek'èezhì Renewable Resources Board have expressed support for this Corridor Working Group, ([PR#279](#), [PR#282](#)), and the NSMA have recommended that the Corridor Working Group should be included as a MVEIRB measure ([PR#281](#)). As the GNWT has committed to the establishment of

the Corridor Working Group, with its roles as noted above, there is no need for a MVEIRB measure requiring the establishment of the Corridor Working Group.

A MVEIRB measure requiring establishment of an oversight body with a legal mandate is also not warranted. The GNWT agrees with the Tłchq Government ([PR#284](#)) that the Corridor Working Group should not act as an oversight body with a legal mandate, as there is sufficient legal authority within the existing governments (Tłchq Government, GNWT, and Canada) and bodies established under the Tłchq Agreement to manage adverse impacts arising from the Project. This is illustrated by the list of approvals, permits, licences and authorizations required for the Project under multiple Acts and Regulations (Table 1.5-1 of the ASR [[PR#110](#)]). The creation of another legal oversight body would create confusion and overlap between the oversight body and existing regulatory agencies and boards on mandated areas of responsibility.

The GNWT is confident that the proposed Corridor Working Group for information exchange can satisfy the WRRB concerns. Current experience with the Inuvik Tuktoyaktuk Highway Corridor Working Group (ITHCWG [PR#237](#)) has confirmed that this model will lead to the information exchange and consensus that WRRB desires as the objectives from the ITHCWG's terms of reference state that the group is to review, provide comments, and provide advice to the Developer on monitoring and mitigation results that may contribute to adaptive management and/or regional cumulative effects monitoring programs ([PR#237](#)).

1.4 GNWT Commitments

The GNWT has made numerous commitments, both prior to and during the EA. These commitments have been provided on the Public Registry ([PR#171](#), [PR#238](#), and response to the MVEIRB IR#21 [[PR#146](#)]) and are updated in Appendix B. See also [PR#216](#) (Appendices C, D, E) and [PR#284](#) for commitments made by the Tłchq Government. The GNWT will continue tracking these commitments, will make this tracking available on the public website which will be established for the Project, and can provide updates to the proposed TASR Corridor Working Group. The GNWT will be responsible for fulfilling all commitments it has made. The GNWT will contractually bind the contractor and sub-contractors to any relevant commitments. The GNWT also confirms that its approach to management and mitigation measures associated with the TASR is consistent with all of the GNWT's strategies, plans and initiatives that have been posted publically and/or are in development.

2 WILDLIFE, FISHERIES AND LAND USE

2.1 Approval of the Wildlife Management and Monitoring Plan

The Wildlife Management and Monitoring Plan (WMMP [PR#192](#)) describes Project-specific mitigation and monitoring for the TASR, how existing GNWT Department of Environment and Natural Resources (GNWT-ENR) wildlife monitoring initiatives will be applied to the TASR, and how the Project will meet its requirements under the *Wildlife Act*, the *Species at Risk Act*, the *Species at Risk (NWT) Act*, the *Migratory Birds Convention Act* and the *Mackenzie Valley Resource Management Act*. The GNWT has committed to a process for formal approval of the WMMP under Section 95(1) of the *Wildlife Act* ([PR#225](#)), that includes further engagement with all interested Parties and public review of the WMMP (Appendix B Table B-3). The GNWT has initiated preparation of the WMMP version 3, and is hoping to schedule WMMP-specific engagement with the Tłıchq Government, WRRB, NSMA, YKDFN, ECCC and other interested parties prior to the revised Land Use Permit and Water Licence applications being submitted to the WLWB and the ultimate WMMP approval by the Minister of GNWT-ENR. The Corridor Working Group will take an active role in reviewing the findings of the WMMP and aiding in the implementation of adaptive management.

At the Public Hearing, WRRB stated ([PR#274](#) page 156) (bold added for emphasis):

As a reminder, the WRRB notes that section 12.5.1 of the Tłıchq Agreement states that any wildlife management actions proposed by a party to the agreement must be submitted to the WRRB wildlife management proposal for review and **approval**. The Board regards the Wildlife Management and Monitoring Plan as wildlife management actions.

The GNWT notes that under Sections 12.5.1, 12.5.4, and 12.5.5 of the Tłıchq Agreement, the WRRB's approval of the WMMP is not required. The GNWT is required to provide the WMMP to the WRRB for its review and recommendation on whether to implement the WMMP as submitted or make revisions to the WMMP. The GNWT notes that opportunities for the WRRB to review and make recommendations on the WMMP through the formal Tłıchq Agreement review processes already apply to the wildlife research permits that are required by the GNWT to conduct the monitoring programs proposed in the WMMP. Formal processes in the Tłıchq Agreement will also be triggered in the event that monitoring suggests other actions (i.e., harvest management) are necessary. The GNWT welcomes WRRB's recommendations on the research permit application currently before them. The GNWT will seek WRRB's technical comments on the next

version of the WMMP that will be submitted for permitting and will work with the WRRB to address their comments in the final proposed WMMP by way of the planned meetings for WMMP approval (Appendix B Table B-3), and through the wildlife research permit application, as required under the *Wildlife Act*. Through these steps and subsequently formally submitting the final draft WMMP to the WRRB for its review and recommendation, the GNWT will fulfill the requirements of chapter 12 of the Tłchq Agreement that apply to the WMMP.

The GNWT will coordinate with the WRRB to formally submit the final proposed version of the WMMP to WRRB for its review and recommendation under Section 12.5.5 of the Tłchq Agreement during the public review phase. Following receipt of the WRRB's recommendation, the GNWT will make its decision in accordance with Section 12.5.11 of the Tłchq Agreement.

At the Public Hearing, the MVEIRB asked the GNWT how the MVEIRB should consider a WMMP that has not been finalized or approved in making its decision. The GNWT notes that the MVEIRB regularly considers draft plans that are to be approved by other authorities for several aspects of any operation (e.g., waste management, fisheries plans, etc.) under review by the MVEIRB and that this does not typically hinder the MVEIRB. The MVEIRB stated concerns during the Public Hearing ([PR#274](#) pages 86 to 90) that the final WMMP may be less robust than the draft provided to the MVEIRB. As stated during the Public Hearings, the draft WMMP is the result of engagement with all Parties, and Parties clearly indicated during the Public Hearing the areas of agreement with the draft WMMP. Any changes made will be a direct result of requests or suggestions from Parties or from the public review process. Some changes for the final WMMP have already been identified, based upon the comments and discussion that have occurred since the Public Hearings (see Appendix B Table B-3), and will be listed in the WMMP Revision History. For the purposes of this environmental assessment proceeding, the GNWT formally commits that MVEIRB may consider the draft WMMP the foundation from which the final WMMP will be built. Following WMMP approval by the Minister of GNWT-ENR, it is anticipated that the WMMP will continue to evolve through the process of adaptive management described in Section 6.2 of the WMMP.

The MVEIRB and Parties to the EA can be assured that the GNWT will appropriately monitor and manage impacts to wildlife and wildlife habitat associated with the TASR because of the Minister of ENR's requirement for an approved WMMP and the WMMP review processes committed to by the GNWT. The GNWT will also appropriately monitor and manage impacts to wildlife and wildlife habitat associated with the TASR because GNWT-ENR is responsible for ensuring wildlife

and habitat be managed for the benefit of current and future generations. Therefore, the GNWT believes that there is no need for the MVEIRB to develop a measure to require a WMMP to prevent likely significant adverse impacts.

2.2 Duration of the Wildlife Management and Monitoring Plan

During the Public Hearing ([PR#274](#) pages 60 to 63), the MVEIRB questioned the GNWT regarding the duration of the WMMP relative to the indefinite duration of the TASR. The GNWT has indicated that the WMMP will be approved by the Minister of GNWT-ENR under Section 95(1) of the *Wildlife Act*. According to the *Wildlife Act*, the Minister may require a wildlife management and monitoring plan if the Minister is satisfied that the development is likely to:

- a) result in a significant disturbance to big game or other prescribed wildlife;
- b) substantially alter, damage or destroy habitat;
- c) pose a threat of serious harm to wildlife or habitat; or
- d) significantly contribute to cumulative impacts on a large number of big game or other prescribed wildlife, or on habitat.

The WMMP was drafted to guide the implementation of monitoring and mitigation associated with the TASR for at least five years following construction, at which point a comprehensive review, which may include advice from the Corridor Working Group, will determine whether a WMMP will continue to be required. A WMMP will continue as long as the Minister of GNWT-ENR believes that the Project triggers any of the thresholds listed in Section 95(1) of the *Wildlife Act*.

The operation of the TASR will be managed like any other all season NWT highway. As stated in the WMMP, much of the mitigation and monitoring described in the document are or will become part of GNWT-ENR operations (see the items described in Section 5.2 of the WMMP in particular [\[PR#192\]](#)). Mitigation, monitoring and management of wildlife will continue with or without the WMMP. Regardless of the status of the WMMP, the GNWT has the authority and takes very seriously its responsibility to manage wildlife in the NWT under the *Wildlife Act* and the *Species at Risk (NWT) Act*.

2.3 Technical Review of the WMMP

The WRRB has recommended that an independent technical review of the WMMP be undertaken ([PR#282](#)). The GNWT welcomes further technical comments on the WMMP version that will be submitted for the permitting process, and will work with

the WRRB and other parties to address their comments and recommendations. The GNWT believes that the existing process and the ongoing input from consultants to the GNWT, Tłchq Government, NSMA and WRRB, technical experts on staff with ECCC, WRRB, NSMA, YKDFN, Tłchq Government and the GNWT, and the opportunities for public review by other interested parties will provide a robust review of the WMMP.

2.4 The WMMP as a Land Use Planning Tool

The WRRB has recommended accelerated completion of the Boreal Caribou Range Plan for Wek'èezhì, the Bathurst Caribou Management Plan and Range Plan, and Wek'èezhì Land Use Plan ([PR#282](#)). The GNWT acknowledges the WRRB's desire to complete planning for Wek'èezhì and believes that these processes are being advanced at a steady and appropriate pace with our planning partners. The GNWT is working in partnership with the Tłchq Government and Canada to develop a business case for land use planning in Wek'èezhì. The range plans for both boreal and Bathurst caribou are being completed by the GNWT in as timely a manner as is operationally possible given the need to ensure that all Parties are fully and properly engaged.

The WRRB requested that “interim measures and thresholds for development” be implemented through the WMMP. However, the WMMP is a Project-specific document under the *Wildlife Act*. As such, the WMMP cannot be used to implement thresholds for potential future developments. This concern is properly and adequately addressed through boreal caribou range planning, the Bathurst Caribou Management and Range Plans, and Wek'èezhì Land Use Plan.

The WRRB recommended that a special conservation area for boreal caribou habitat be established that is equal in area to the TASR corridor buffered by 2500 m ([PR#282](#)), until such time as the Boreal Caribou Range Plan for Wek'èezhì and the GNWT offsetting policy are completed. As stated above, the GNWT believes that such decisions are properly handled by the Boreal Caribou Range Plan for Wek'èezhì, the Bathurst Caribou Management and Range Plans, and Wek'èezhì Land Use Plan, and require the input of the Tłchq Government.

Further, the GNWT reminds Parties that collars deployed on boreal caribou contain a geofencing feature to allow for more fine scale movements to be evaluated within 10 km of the road, which if sample sizes allow, should provide the opportunity to understand more about caribou responses to the TASR to inform discussion of buffer sizes within the above planning forums.

2.5 NSMA Recommendations for the WMMP

The Closing Arguments provided by the NSMA ([PR#281](#)) included a list of 24 requested revisions to the WMMP. These issues were previously responded to by the GNWT in the response to the NSMA Technical Report ([PR#239](#)), and in many cases the GNWT committed to changes to the WMMP in response ([PR#239](#), and see the summary in Appendix B Table B-3). These changes were acknowledged by the NSMA during their presentation during the Public Hearing ([PR#274](#) Pages 193 to 215). Unfortunately, the NSMA did not indicate in their Closing Argument that many of the issues have been resolved (including issues such as salting of the road, invasive plant surveys, changes to the sensitive season for caribou, water crossings, and escape gaps in embankment snow). These 24 requests and the GNWT response (including areas where NSMA have already indicated agreement) are tabulated in Appendix A. The GNWT anticipates that any differences with the NSMA regarding the WMMP content will be resolved through the WMMP review and approval process described above, through the commitments made during the EA process (listed in Appendix B Table B-3), through the GNWT commitment to invite NSMA members to review the WMMP reports, through participation in wildlife surveys (Appendix B Table B-3), and through the Corridor Working Group.

While this Closing Argument is not a suitable forum for further detailed discussion on outstanding technical points related to the WMMP, the GNWT would like to address one of NSMA's key arguments. NSMA re-iterated their recommendation to include wolf monitoring in the WMMP (bullet #4 under Measure #4) based on their conclusion that the TASR would increase predation risk for boreal caribou by facilitating wolf movements, as seen in Leblond et al. (2013)¹. The GNWT discussed these findings in its response to the NSMA's technical report ([PR#239](#)). The GNWT notes that Leblond et al.'s (2013) study took place in the Charlevoix boreal caribou range in Quebec, where the population of less than 100 individuals is declining and over 80% of the disturbance in the range is anthropogenic and associated with logging and logging roads (in ECCC 2017; [PR#242](#)). Extrapolating the results of the Leblond et al. (2013) study to Wek'èezhì is tenuous given the very low level of existing anthropogenic disturbance in Wek'èezhì. While the model in Leblond et al.'s study predicts an 88% increased mortality risk associated with a 0.25 km/km² increase in active road density, the GNWT notes that the TASR project would increase the density of active roads in Wek'èezhì from roughly 0.002 km/km² to

¹ Leblond, M., Dussault, C. and Ouellet, J.P., 2013. Impacts of human disturbance on large prey species: do behavioral reactions translate to fitness consequences?. *PLoS one*, 8(9), p.e73695.

0.004 km/km² (47 times lower than the Leblond et al. study area). Even if Leblond et al.'s (2013) model holds true in the Wek'èezhì portion of the NT1 range, the increase in active road density from the TASR would only increase risk of mortality from wolf predation by 1.4%. The GNWT maintains its position that wolf monitoring does not need to be included as part of the WMMP at this time.

2.6 Coordination of Wildlife Monitoring with the NICO Project

As stated in the Developer commitments (Appendix B), the GNWT commits to considering opportunities for collaboration and data sharing with Fortune Minerals Ltd.'s NICO Project in the next revision of the WMMP, and has met with Fortune Minerals to discuss areas for future collaboration (Appendix C).

The relevant Measures related to wildlife monitoring and protection described by the MVEIRB in the NICO Project Report of Environmental Assessment ([PR#266](#)) and subsequent decision documents are summarized below:

- Measure #8, as modified by the responsible Ministers and the Tłchq Government following a “consult-to-modify” process, required the GNWT and Tłchq Government work on a cumulative effects response framework to manage impacts of the NICO project on the Bathurst Caribou herd.
- Measure #9 required the timely and collaborative development of a Wildlife and Wildlife Habitat Protection Plan by Fortune Minerals.
- Measure #10 required the timely and collaborative development of a Wildlife Effects Monitoring Program by Fortune Minerals.
- Measure #11 stated that “In order to mitigate significant adverse impacts from the project on caribou, the Tłchq Government and Fortune Minerals will collaborate in ensuring that harvesting of caribou along the NICO Project Access Road does not occur.”

Measure #8 from the MVEIRB's Reasons for Decision for Fortune Minerals' NICO project requires establishment of a working group (consisting of various parties, including the GNWT and Tłchq Government) to develop a response framework for cumulative impacts with respect to barren-ground caribou to address NICO project-specific contributions to cumulative effects. While full implementation of this measure is dependent on advancement of the NICO Project, the GNWT has developed the broader Cumulative Effects Assessment, Monitoring and Management Framework (CEAMMF) for the Bathurst Herd which provides guidance for showing how various initiatives underway interact with development projects on the

Bathurst caribou herd range to manage cumulative effects on the herd. The CEAMMF has been posted to the MVLWB registry for the Gahcho Kué process and the MVEIRB registry for the Jay environmental assessment. While Measure #8 of the NICO environmental assessment process is specific to that project alone, the overall CEAMMF developed by the GNWT will inform development of the approved WMMP for the TASR and any future collaboration with Fortune Minerals.

The Wildlife and Wildlife Habitat Protection Plan required under Measure #9 and the Wildlife Effects Monitoring Program required under Measure #10 for the NICO Project are publically available and will require updating and engagement before construction of the NICO Project can begin. This will present opportunities for Parties to collaborate and identify potential efficiencies with the TASR WMMP. As stated above, GNWT and Fortune Minerals have discussed coordination of wildlife monitoring (Appendix C). With respect to Measure #11, while it is not directed to the GNWT, any future collaboration between the Tłıchǵ Government and Fortune Minerals respecting harvest along the access road would provide part of the context in which the GNWT would make decisions about where and how to monitor in the regions (i.e., potential locations of check stops).

2.7 Harvesting of Boreal Caribou

The GNWT does not believe that there is a sound basis for the MVEIRB to recommend a measure requiring any restrictions on or the prohibition of hunting of boreal caribou within the immediate vicinity of TASR or throughout the NWT by individuals without an asserted or established Aboriginal and/or Treaty right to harvest within the applicable area. Regardless of whether the MVEIRB has the authority to recommend such a measure, the GNWT does not believe environmental assessment of an individual project is the appropriate venue in which to consider prohibiting or restricting harvest of boreal caribou by individuals without an asserted or established Aboriginal and/or Treaty right to harvest. There are no tags currently issued for commercial, outfitted or non-resident hunters on woodland caribou within Wildlife Management Zone R (which includes Wek'èezhì). Tags are issued to commercial, outfitted or non-resident hunters within Wildlife Management Zones D/OT01/02, G/OT/01, and S/OT/01-05 which are primarily within the range of mountain woodland caribou, not boreal woodland caribou. It is therefore understood that the measure recommended by YKDFN to restrict harvest by individuals without an asserted or established Aboriginal and/or Treaty right to harvest would in practice primarily apply to resident hunters. Any amendments to the hunting regulations to prohibit harvest of boreal caribou in Wek'èezhì should occur through careful analysis of all relevant evidence and must follow the co-

management process outlined in the Tłchq Agreement rather than through a MVEIRB measure. Changes to resident hunter tag allowances are occasionally adjusted according to the changing status of the herds in question.

At present, there is insufficient evidence on the public registry for this EA to demonstrate that resident hunters are likely to cause a significant adverse impact to boreal caribou as a result of TASR. Currently, resident hunters are limited to one tag per year for woodland caribou, which includes both mountain and boreal caribou. Current levels of boreal caribou harvest in the vicinity of the TASR are very low, despite the presence of the existing Old Airport Road², which continues to be used for harvesting. As stated in the response to WRRB IR#5 ([PR#145](#)), harvest records for residents indicate that between 2001 and 2015 there were nine instances of boreal caribou harvested in the R management zone, which overlaps with Wek'èezhìi. In 14 out of 15 years, at least one or more hunters reported hunting along the Old Airport Road, but there was only one reported successful harvest of boreal caribou. The actual harvest is likely higher as some resident hunters do not report their harvest, but this does not change the conclusion that the level of harvesting is low despite existing access. Population monitoring and potential harvest monitoring outlined in the draft TASR WMMP will better place ENR and co-management partners to evaluate the merits of harvest management options at the local scale going forward.

At a larger scale, the estimated annual harvest of boreal caribou in the NWT is about 200 per year ([PR#106](#)), of which an average of approximately 22 (range 8-44 per year; see response to WRRB [IR#5](#)) is by resident hunters and the remainder is by hunters with asserted or established Aboriginal or Treaty rights. Therefore, it is clear that resident harvest is likely not the single greatest source of mortality on boreal caribou in the NWT, contrary to what is stated by the YKDFN on page 4 of their Closing Argument ([PR#283](#)). The GNWT notes that ENR hunter harvest survey results for woodland caribou presented in slide 7 of the YKDFN presentation at the Public Hearing is not appropriate data upon which to draw conclusions about resident harvest levels in the TASR area for two reasons. First, the figure includes data on both boreal and mountain ecotypes of woodland caribou and the majority of woodland caribou taken in the NWT is of the mountain ecotype. Secondly, the

²Old Airport Road: An existing overland alignment that was used up until the late 1980s as an overland winter road. The proposed TASR predominantly follows this route ([PR#110](#)).

regions shown in the diagram reflect the region in which a tag was issued, and do not necessarily correspond with the region in which a harvest occurred.

GNWT-ENR will continue to enforce the *Wildlife Act* and Regulations to conserve wildlife for future generations, supported by the boreal caribou monitoring described in the WMMP, patrols of the TASR and a new Renewable Resource Officer in Whatı. The GNWT recognizes that sustainable harvest is key to managing boreal caribou populations and believes that co-management processes and legal authorities are in place to continue managing and conserving boreal caribou in the NWT. For example, Objective #2 of the Recovery Strategy for Boreal Caribou in the Northwest Territories ([PR#106](#)), seeks to ensure that harvest of boreal caribou is sustainable. To better support this objective, GNWT-ENR is in the process of initiating consultations on proposed modifications to the hunting regulations that will separate out harvest regions for boreal and mountain ecotypes of woodland caribou. This will lay the foundation for ENR to collect better mortality data and to work with co-management partners to consider harvest management options specific to each of the ecotypes.

2.8 Study Area for the Assessment of Effects to Boreal Caribou

Parties have argued that using the NT1 boreal caribou range was either too large ([PR#281](#), [PR#282](#)), leading to dilution of Project-specific effects, or too small ([PR#283](#)), leading to exclusion of present and future developments in the assessment and overlooking population trends in southern jurisdictions. However, the submissions do not make a convincing case that alternative study areas would have improved the environmental assessment. The WRRB suggests that the study area should have been the Wek'èezhıı area ([PR#282](#)), while the NSMA suggested that the study area should have been the NSMA members' traditional harvesting area in the case of the NSMA ([PR#281](#)). Adopting a study area based on an area of jurisdiction or interest for a Party would not have satisfied the requirements for the geographic scope of assessment set out in the Terms of Reference ([PR#69](#)).

ECCC agreed with the GNWT that the NT1 boreal caribou range was the most appropriate spatial scale on which to focus the assessment ([PR#94](#), [PR#218](#)), as it fits with the national Recovery Strategy for Boreal Caribou ([PR#38](#)). The available information does not yet permit analysis of sub-population trends within NT1 ([PR#99](#), response to the MVEIRB IR#3 [[PR#141](#)]), but studies currently underway will fill this gap (WMMP Section 5.2.3, response to ECCC IR#7 [[PR#199](#)]). While it is recognized that different impacts tend to occur at different spatial scales and that there is no single study area that will address all concerns, the NT1 boreal caribou

range is the most reasonable study area to use for the purpose of assessing the self-sustaining status of boreal caribou in the NWT, as illustrated by its adoption by ECCC ([PR#218](#)), and the federal and NWT boreal caribou recovery strategies ([PR#38](#), [PR#106](#), [PR#242](#)). Further, the information provided by the GNWT has provided all Parties with sufficient information from which to reasonably extrapolate to their various areas of interest. For example, the GNWT provided information and analyses specific to Wek'èezhì ([PR#99](#), [PR#189](#), [PR#190](#), [PR#199](#)) and responses to WRRB IR#5, IR#7, IR#8, IR#9, IR#11 ([PR#134](#), [PR#142](#), [PR#145](#)).

As the WMMP will need to focus on Project-related effects and to address Parties' concerns, the proposed study area for boreal caribou will be limited to the North Slave portion of the NT1 range ([PR#192](#)). The GNWT has committed to consider alternative proposals to the boreal caribou study area for monitoring during the WMMP approval process (Appendix B, Table B-3).

2.9 Boreal Caribou Habitat Offsetting

As stated in the GNWT Response to Party Technical Reports ([PR#239](#)) and following the MVEIRB Jay Project Measure 6-2(b) ([PR#267](#)), the GNWT is in the process of studying the utility, effectiveness and legal implications of habitat offsetting approaches in the context of regulatory decision making and range planning for both boreal and barren-ground caribou, including when and where it is appropriate and how it may be undertaken. The GNWT intends to prepare a policy or guideline around the use of habitat offsets as mitigation. Until this work is completed, the GNWT cannot commit to TASR-specific habitat offsets, and measures from the MVEIRB on the subject of offsetting will not improve on this current initiative. The GNWT is required under Measure 6-2(b) from the Jay Project to publically report in 2018 on the potential methods for evaluating and measuring the effectiveness of offsetting options described in the approved Caribou Offset and Mitigation Plan for the Jay Project. The GNWT's report will include information on offsetting in general that may be used to help inform a future GNWT offsetting policy or guideline.

2.10 Effects of Improved Access

The effects of improved access on the sustainable use of fish and wildlife has been a concern raised during the EA. The GNWT clarified that the operational TASR will be managed like any other all season NWT highway where, in general, traffic will not be stopped because there is wildlife near the road. However, a number of commitments and mitigations have been described that will reduce the potential for adverse impacts on fish and wildlife arising from the new access.

- The GNWT may install temporary portable signage and temporarily lower speed limits on parts of the TASR if a localized wildlife collision hazard is identified through monitoring ([PR#239](#), Appendix B Table B-2).
- The WMMP ([PR#192](#)) describes both mitigation and monitoring for the effects of improved access for harvesting of wildlife. This includes a suite of on-the ground and aerial monitoring strategies and includes addition of a check station on the TASR between Highway 3 and Whatì. GNWT-ENR will consider the need for having an additional check station north of Whatì within the context of its overall annual monitoring strategy given the needs and resources available. The GNWT believes that making a second check station a mandatory requirement attached to the TASR, as suggested by YKDFN and NSMA at the Public Hearing, would constrain GNWT-ENR in being appropriately responsive to changing conditions. Rather, the number and location of the check stations should remain flexible so that monitoring effort can be focused when and where harvesting is occurring.
- The GNWT manages public lands within the Wek'èezhì area. Any new cabin lease issuances on public lands shall be consistent with the *Northwest Territories Lands Act*, Land Use and Sustainability Framework and the Recreational Leasing Management Framework. The Tłchq Government has the authority to manage cabins on Tłchq Lands, and the Tłchq Government has a process in place to manage cabin construction ([PR#284](#)).
- As noted by the Tłchq Government in its Closing Argument ([PR#284](#)), the Tłchq All-Season Road Land Exchange, Use and Access Agreement between the GNWT and Tłchq Government will result in the ownership of a 60 metre surface corridor of Tłchq Land being provided to the GNWT for public highway purposes. Other land uses will not be permitted within this corridor. In exchange for this land, the Tłchq Government will receive an equivalent amount of Territorial Lands that will become Tłchq Lands.
- The Tłchq All-Season Road Land Exchange, Use and Access Agreement also provides the GNWT with access to Tłchq Lands for the purpose of construction and operation of the TASR. Activities not related to the TASR are not permitted ([PR#284](#)).

Some clarifications are required to the statements by the NSMA regarding access ([PR#281](#)). Rather than being a seasonal-only access route, the Old Airport Road is currently easily accessible by truck or SUV in the summer for at least the first 10 km. The road is regularly used for gathering firewood and hunting. Second, the Old Airport Road is regularly used throughout the year by residents of Whatì by way of snowmobile and ATV and so is an unlikely candidate for decommissioning.

2.11 Avian Species at Risk

The GNWT has stated in [PR#239](#) that while the GNWT agrees with ECCC that baseline data would have improved the level of detail in the ASR, the precautionary approach used in the effects assessment, the mitigation included in the Project design, the additional mitigation and monitoring proposed in the WMMP all demonstrate with sufficient confidence that the impacts to avian species at risk are below the significance threshold:

- the Project uses an existing trail to reduce vegetation disturbance and creation of linear disturbances
- the impact assessment was conservative (i.e., it assumed that all quarries will be fully developed, which is unlikely)
- vegetation clearing will occur outside of the migratory bird breeding season
- mitigation to reduce the likelihood of disturbance to and creating habitat for avian species at risk nests is included in the WMMP
- active monitoring specific to avian species at risk is included in the WMMP
- follow-up processes are described in the WMMP in the event that avian species at risk nests are discovered during construction
- the Developer has committed to further changes to the WMMP in response to ECCC recommendations (Appendix B Table B-3) and is planning further engagement with ECCC.

Baseline studies would have confirmed that the impact assessment is precautionary, that adverse Project effects are over-estimated, and may have indicated that some of the avian species that were assessed are not present. ECCC and the GNWT worked collaboratively on an attempt to apply surrogate data from studies along Highway 3, but concluded in agreement that the data had limited applicability to the needs of the environmental assessment ([PR#175](#), [PR#218](#) and [PR#260](#)). Data collected for the NICO Project also had limited applicability, but the few observations of avian species at risk corroborated the habitat associations used in the ASR (response to ECCC IR#9 [[PR#140](#)]).

Section 79(2) of the federal *Species at Risk Act* includes specific requirements of the MVEIRB as a Responsible Authority, for which the Developer has provided contributions (in brackets):

- The adverse effects of the Project on the listed wildlife species and their critical habitat be identified (provided in the ASR Section 4.3 [[PR#110](#)], response to ECCC IR#10 [[PR#135](#)] and WMMP Section 3 [[PR#192](#)]).
- That measures be taken to avoid or lessen those effects (ASR Section 4.3 and WMMP Section 4.0).
- That the effects should be monitored (WMMP Table 5 and Section 5).

The GNWT believes that these requirements have already been met, and that baseline studies will not reduce potential impacts to avian species at risk. Further, the GNWT looks forward to continued engagement with ECCC to add additional detail to the WMMP ([PR#260](#), and see Appendix B Table B-3 for the changes already planned in response to ECCC comments).

As mentioned in the Response to Technical Reports ([PR#239](#)), the WMMP states that surveys for avian species at risk will be completed weekly at least, which includes the quarries and borrow sources. Frequency of monitoring would increase if the Bird Nest Monitoring (WMMP Section 5.1.4) indicates a potential for nesting. These details from the WMMP satisfy ECCC's 4.2.2-1 recommendation. The GNWT has also committed to updating the WMMP to reflect concerns for bank swallows (Appendix B Tables B-1 and B-3). As stated in the WMMP, non-intrusive nest search methods will be used if unforeseen circumstances require vegetation clearing during the migratory bird nesting season, and any nests found near disruptive activities will be reported to ECCC and protected with a buffer zone.

The WMMP will also be updated to clarify that ECCC will be included in the reporting of all instances of migratory bird and avian species at risk nesting, incident and/or mortality and that ECCC be consulted regarding any additional measures and advice for migratory birds and avian species at risk.

The GNWT does not agree that pre-development creation of bank swallow nesting habitat is required or that compensatory habitat should be created if a colonized quarry or borrow source is used after the birds have left. The GNWT cannot ensure that created habitat with slopes of at least 70 degrees will be stable, thus it would be unsafe to encourage their colonization and risk a violation of the *Migratory Birds Convention Act* and the *Species at Risk Act* if the slopes settled and destroyed the nests. Rather, the GNWT will focus efforts on avoiding the creation of habitat in quarries and borrow sources, and managing issues as they arise, in consultation with ECCC.

2.12 Fisheries Management

Calculations completed on behalf of the GNWT indicate that additional recreational fishing on waterbodies accessible by the TASR (including Lac La Martre) is sustainable ([PR#159](#), [PR#211](#)). During the public hearing, the GNWT indicated that through the application of fisheries management models, it has shown that the likely fishing destinations in the region are highly productive fisheries and the current harvest levels are well below the potential fisheries yield in these systems. The reasonably foreseeable developments such as Fortune Minerals' NICO project are not expected to interact cumulatively with the residual effects of existing developments and activities in the project area because additional access to water bodies within the regional study area is not expected to occur as a result of these reasonably foreseeable developments. Therefore, incremental and cumulative changes from the project and other developments are unlikely to have a significant adverse impact on the fishery ([PR#273](#)).

As stated by DFO ([PR#278](#)) and the Tłchq Government ([PR#284](#)), management of fisheries in the NWT is the responsibility of DFO and co-management partners. The Tłchq Government has indicated that it intends to be an active co-management partner, and has committed to helping to develop a strategy to monitor and manage impacts to fisheries (Post-technical Session Commitment 2, [PR#216](#)), and to using traditional knowledge to monitor fish and fish habitat at TASR stream crossings (Post-technical Session Commitment 1, [PR#216](#)). The Tłchq Government has law-making powers regarding fisheries on Tłchq lands as set out in Section 7.4.3 of the Tłchq Agreement.

DFO and the Tłchq Government, with input from the WRRB, have committed to developing and implementing a fisheries management plan for the area as a result of TASR. The GNWT will participate in preparation of this fisheries management plan as appropriate where invited to do so and will comply with the fisheries management plan. Consequently, no MVEIRB measures regarding fishing are necessary as the fisheries management plan will prevent any likely significant adverse impacts to fisheries.

2.13 Water Crossings Assessment

In the DFO Closing Argument, the statement is made that DFO expects the GNWT to provide DFO with final detailed engineering plans for all water crossings ([PR#278](#)). It is assumed that this request is limited to large bodied fish-bearing water crossings, and that DFO still agrees with the GNWT watercourse characterization ([PR#235](#)), as stated by DFO in their Technical Report ([PR#221](#)). The GNWT agrees

with the DFO statement that impacts to fish and fish habitat from the construction and operation of the TASR water crossings can be managed through the *Fisheries Act*, considering the GNWT commitments for stream crossings (Appendix B), the planned updates to the Fish and Fish Habitat Protection Plan and Erosion and Sediment Control Plan, and adherence to the applicable DFO guidance.

3 SOCIO-ECONOMICS

3.1 Purpose of the Road

The TASR is intended to benefit the community of Whatì, with an aim to alleviate isolation, connect families and lower the cost of living. The Tłchq Government has indicated that this is a community-driven project, that Tłchq citizens are well-informed about potential benefits and impacts, and that it will contribute to the growth, prosperity and longevity of Whatì, its residents, and Tłchq citizens ([PR#216](#)).

The Project will provide a reliable transportation route to the community of Whatì throughout the year which will reduce the cost of living, and enhance access to services and recreation programs offered in other communities in the territory. Along with its intended benefits, the TASR has the potential to exacerbate existing social issues in the community of Whatì. The ASR ([PR#110](#)) proposes measures to monitor and mitigate these potentially adverse impacts. These strategies and programs were expanded on in information requests ([PR#141](#), [PR#146](#), [PR#96](#)), at the technical sessions in Behchokò, in the response to the technical reports ([PR#239](#)), and at the Public Hearing. The programs and strategies developed to mitigate these potentially adverse impacts have been collaboratively built and are based on feedback that the GNWT has received from the community of Whatì, the Tłchq Government, and other interested Parties throughout the environmental assessment process.

3.2 Stable and Healthy Communities

The GNWT is committed to supporting stable and healthy communities in the territory and has identified appropriate mechanisms for addressing potential adverse effects from the TASR project in collaboration with the Tłchq Government and the Community Government of Whatì. These include specific programs identified in Table 5.3-1 of the ASR ([PR#110](#)), as well as commitments to ongoing monitoring and management of various social issues in Whatì ([PR#96](#)). Cooperation between the Community Government of Whatì, the Tłchq Government, the GNWT, the Royal Canadian Mounted Police (RCMP), and the Tłchq Community

Services Agency (TCSA), including Interagency committees in each of the four Tłıchq communities, provide a framework for monitoring changing social conditions in the community, and for providing adaptive management responses.

The GNWT developed and released a comprehensive Mental Health and Addictions Framework (*Mind and Spirit*) in 2016 ([PR#170](#)). This framework includes a focus on flexible and diverse care options for residents and emphasizes the continued and increased focus of the GNWT approach on culturally appropriate approaches to healing. *Mind and Spirit* set the stage for the development of three specific action plans to address key areas of concern, including child and youth mental wellness, addictions recovery, and mental health. Work in these areas involves all levels of government, as well as individuals, health care providers, social workers, communities, and agencies in the Tłıchq region. The first of these action plans – the Child and Youth Mental Wellness Action Plan – was released in September 2017. The Mental Health Action Plan and the Addictions Recovery Action Plan have involved extensive engagement with government and non-government partners and community members and will launch in 2018-2019.

The GNWT is confident that the current programs and services being developed and provided by the GNWT, the TCSA, and the Tłıchq Government are responsive and will provide the necessary support and programming to assist residents and manage their health and wellness concerns throughout the construction and operation of the TASR. Specific programs and approaches have been identified throughout this assessment, (see Table 5.3-1 of [PR#110](#); [PR#141](#); Table 1 from IR11 in [PR#146](#); and pg.5-6 of [PR#239](#)).

The GNWT acknowledges the seriousness of the concerns expressed by community members with regard to the trafficking of narcotics and alcohol into the community of Whatì, and that it may become more prevalent due to the opening of the TASR. Of specific concern is the potential for youth to be engaged as drug mules between Yellowknife and Whatì. A drug mule is someone who knowingly smuggles illegal drugs by concealing or ingesting them. Under the Controlled Drugs and Substances Act, a drug mule could face charges for possession for the purpose of trafficking, regardless of whether they are the distributor of the drugs or not.

The GNWT notes the Tłıchq Government's statement in its closing argument that "The Tłıchq agencies and governments have all committed themselves to managing these issues proactively. The Interagency Working Group meets annually in each of the four communities to address issues related to community preparedness, emergency response, and social programs, as well as community and land concerns.

The Whatì Interagency Working Group will continue to report on these issues and adaptively respond to concerns” ([PR#284](#)). The GNWT will continue to support the efforts of the Tłıchǵ Government and the Interagency Working Group as appropriate, based on GNWT mandates and responsibilities.

In an effort to provide the best policing services, Policing Action Plans are developed annually by the RCMP in partnership with community leadership, and are based on the needs of each individual community and reflect the priorities of the community. Policing Action Plans are a way for communities to bring RCMP attention to emerging issues or trends in community safety concerns. The plans are updated quarterly and are adjusted to respond to any emerging needs. The RCMP uses the priorities of the community to plan their approach to a community’s policing.

Currently the top three priorities identified by Whatì in the Policing Priority Action plan for 2017/18 are: impaired driving, domestic violence and youth issues. The RCMP continue to work collaboratively with the community to address priority issues. Currently, the RCMP are delivering the Drug Abuse Resistance Education program to local youth with expected completion by March 31, 2018. This program aims to prevent the use of controlled drugs, membership in gangs, and violent behavior.

Plans for the new 2018/19 policing priorities will be finalized with community leadership during the first quarter of the fiscal year. With the continuation of the Whatì Interagency Committee and other initiatives to track the effects of the TASR, potential trafficking will be monitored for response.

Communities can help by developing crime prevention and awareness programs and by reporting illegal activity. Reporting to Crime Stoppers is one way residents can pass information to the RCMP without putting themselves at risk. The active participation of all partners, including community members, community leadership, the GNWT and the RCMP, is necessary to combat drug trafficking.

The GNWT recognizes the concerns expressed by community members regarding the safety of women, both of those employed during Project construction, and for those that may use the road during operations for hitchhiking. In response, the GNWT commits to review work safe policies for the TASR with a gender lens to strive for safety of women in the workplace. The GNWT will engage the short-listed proponents during the procurement process to review how the proponents’ construction and operation work safe policies for the TASR consider safety of women. The proponents’ work safe policies will be compared to internal GNWT

policies on workplace safety and to industry best practices. The proponents are required by law to establish, promote and maintain safe workplaces as per Workers' Safety Compensation Commission legal requirements. The GNWT will consider the appointment of a community liaison officer for the duration of the project construction with whom employees can discuss workplace safety concerns. In addition to these actions, the GNWT and the Tłıchq Government have identified a number of programs in place (e.g., Well-Women Clinics, school programming on sexually transmitted infections) that will be continued into TASR operations and that are aimed at supporting the health of women and young families, and providing education regarding sexual health and safe lifestyle choices. With the continuation of the Whatı Inter-Agency Committee and other initiatives to track the effects of the TASR, the safety of women will be monitored.

3.3 Traditional Use, Culture and Heritage Resources

The GNWT understands that the TASR's ability to contribute to cultural change in Whatı has both positive and adverse aspects. The Tłıchq Government has provided a thorough discussion of the Project's potential cultural impacts throughout the EA process, and has made a number of commitments in their Technical Report ([PR#284](#)). The GNWT respects that cultural change is within the purview of the Tłıchq Government to address, and echoes the statements made in the closing arguments from the Tłıchq Government. The ASR concluded, based in part on a literature review on the impacts of all season roads introduced in remote regions, that there will be improved access for harvesters to water resources, berries, hunting grounds, fishing holes, and trapping areas as a result of the TASR ([PR#7, Appendix B](#)).

3.4 Monitoring and Adaptive Management of Socio-Economic Effects

A number of community government, Tłıchq Government, and GNWT monitoring mechanisms work together to adaptively manage, respond to, and mitigate any potential adverse socio-economic effects from the construction of the TASR. The Whatı Interagency Committee will continue during TASR construction and operation, and provides for on-the-ground monitoring of, and responses to, changing social conditions (e.g., food security, Elder support) and issues that may arise (e.g., substance abuse, drug and alcohol trafficking) at the community level. Cooperation between the Community Government of Whatı, the Tłıchq Government, the GNWT, RCMP, and the TCSA will provide a framework for monitoring changing social conditions in the community, and for providing adaptive management responses. The GNWT regularly monitors socio-economic indicators in Whatı as

part of routine program and services delivery; assesses changes in indicators as part of program evaluations and/or reporting requirements (e.g., Communities and Diamonds initiative); and adapts its actions to respond to identified changes or needs. This allows the GNWT to develop policies, approaches, and programs, as well as deliver services, that best suit the needs of individuals and the community. In addition to this, the GNWT supports community wellness initiatives, on the land healing programs, the On The Land Collaborative (including funding and other resources), and healthy living initiatives which are often developed on the ground by community members and government in response to local concerns.

3.5 Emergency Response to Accidents

During the Technical Review Sessions and Public Hearing, the GNWT committed to meeting with and working with key stakeholders, including the community government Whatì, the TCSA and the Tłchq Government to work toward the development of an effective ground ambulance and the highway rescue response capacity (PR#273).

In August 2017, a GNWT inter-departmental committee began an examination of the current ground ambulance and highway rescue services system in the NWT. A GNWT contractor, DPRA, met with representatives of the TCSA to discuss current operations and capacity for Behchokò and the surrounding area, and to collect information with which to inform an operational analysis. DPRA was tasked to engage communities located near planned territorial highway development, which could create a demand for municipal ground ambulance highway rescue services in the near future (e.g., Whatì); and communities which currently operate a mature ground ambulance and highway rescue service along existing highways. Interviews have been completed for several key communities, including Behchokò and Whatì. A baseline report will soon be completed and a discussion with senior GNWT officials will follow in early 2018 to review progress and decide next steps towards supporting and improving ground ambulance and highway rescue response capacity ([PR#162](#)). The discussions with the Community Government of Behchokò, the Community Government of Whatì, and the TCSA were intended to ensure a clear understanding of their current capacity.

A primary goal of the operational assessment is to form a basis for a common vision for ground ambulance and highway rescue services in the NWT; and a companion action plan to guide system maintenance and development. The operational assessment shall also determine whether the Multi-Agency Rescue Coordination System adequately serves its intended purpose, which is to establish a basic

architecture for facilitating on-scene command and control, coordinating resources, and integrating multiple agencies for incidents and emergencies on NWT highways ([PR#162](#)).

Completion of the Ground Ambulance and Highway Rescue Action Plan is expected by March 2018 at which time it will be shared with the Tłıchǵ Government, the TCSA and the Community Government of Whatì. The GNWT expects that a continuing dialogue over the next couple years with these partners will be necessary to achieve the desired outcomes. The GNWT re-affirms its commitment cited in section 8 of the Tłıchǵ Government closing argument and continues to work toward fulfilling its intention ([PR#284](#)).

4 CLOSING REMARKS

The GNWT thanks the MVEIRB and all Parties for their participation in the TASR environmental assessment and the constructive and informative dialogue that has occurred throughout the process. The GNWT looks forward to further engagement with these Parties through the permitting, construction and operations phases of the TASR Project, and will continue to work with the community of Whatì and other interested Parties to maximize the benefits that the TASR Project will provide.

The GNWT believes that any likely significant adverse impacts will be prevented with TASR as currently proposed, including the commitments made by the GNWT. Consequently, the GNWT is of the view that the MVEIRB should determine under section 128(1) (1) of the *Mackenzie Valley Resource Management Act* that TASR can proceed without any measures.

APPENDICES

Appendix A: Concordance Table for Measures Proposed by Intervenors

Appendix B: Final Developer Commitments Table

Appendix C: Updated Engagement Log

Appendix A

Concordance Table for Measures Proposed by Intervenors

Table A-1. Concordance Table for Recommended Measures Proposed in Party Closing Argument

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
YKDFN (Page 4)	YKDFN restates its request that limits be placed on recreational hunters. Recreational hunters are currently the single greatest direct cause of boreal caribou deaths in the Northwest Territories.	Closing Argument Section 2.7
YKDFN (Page 5)	We restate our requests that the Board create a measure requiring the proponent directly support traditional knowledge research by the Yellowknives Dene First Nation into the project area. The Yellowknives have significant traditional knowledge of the area in question. However, if the project negatively affects land use by members we risk losing that knowledge.	Closing Argument Section 1.2
NSMA (Page 3)	Based on the evidence provided, the Review Board concludes that there will be a significant adverse impacts on Boreal caribou and its users as a result of the project. In order to avoid causing the significant adverse effect, the Proponent shall obtain approved mitigation, monitoring, adaptive management, compensation and offsetting plans ("Plans") prior to the commencement of construction.	Closing Argument Sections 2.1, 2.2 and 2.3 Approval of WMMP prior to construction is already required under the <i>Wildlife Act</i> , and the GNWT is preparing a policy for offsetting
NSMA (Page 3)	The Proponent shall develop the Plans in collaboration with affected Aboriginal organizations, including the NSMA.	Closing Argument Sections 1.2, 1.3, 1.4, 2.1, 2.3 Commitments for engagement in Appendix B Table B-3
NSMA (Page 3)	The Proponent shall develop, implement, and monitor the progress of the Plans collaboratively with affected Aboriginal groups, including the NSMA. The Proponent may strike a working group, committee, or independent oversight group to facilitate the collaborative work. The Proponent shall fund the affected Aboriginal groups to participate in this work.	Closing Argument Section 1.3 The GNWT has committed to a Corridor Working Group
NSMA (Page 5)	The refined boreal caribou assessment area will be used to strengthen, mitigation, offsetting, compensation, and monitoring plans. These plans should be refined in collaboration with these same groups noted in Measure 2 and 3, in an upcoming version of the Plans (e.g. WMMP).	Closing Argument Section 2.7 The GNWT has committed to review the boreal caribou study area through the WMMP approval process (Commitments Appendix B, Table B-3)
NSMA (Page 6)	Offset for all habitat loss that will occur due to the project. Compensate for habitat loss by decommissioning and restoring old or historic linear corridors no longer needed for their initially created purposes within the southern portion of NT1.	Closing Argument Section 2.9
NSMA (Page 6)	Add a second harvest check station rather than moving the existing harvest check station, which may render a "blind spot" for harvest to the north of Whati.	Closing Argument Section 2.10 GNWT committed to a new check station during the Public Hearing (PR#274)
NSMA (Page 6)	Collect ongoing monitoring data on boreal caribou in the regional study area and Project Area, to improve knowledge of population size, distribution, and trends. We recommend that this occur for a minimum of 10 years post construction.	Closing Argument Section 2.1, 2.2 WMMP includes ongoing monitoring of boreal caribou, including studies to understand population size, distribution and trend
NSMA (Page 6)	Conduct monitoring for project effects on numbers and distributions of other species that could interact with and negatively affect boreal caribou via apparent competition. The additional	Closing Argument Section 2.1, 2.5 As stated in the Response to Technical Reports (PR#239),

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
	species that should be monitored include wood bison, moose, and wolves.	this intensive monitoring would be considered if the WMMP monitoring indicated a concern with the status of caribou, moose or bison
NSMA (Page 6)	Options for adaptive management and mitigation measures, with regards to apparent competition, should be included if the monitoring in point 4 lead to the detection of issues related to apparent competition. Such options may include funding fire suppression to reduce the growing proportion of early serial stage habitat in the area surrounding the project (which can cause increases in moose and bison, which in turn support increases in wolves that prey on boreal caribou), or encouraging the hunting of certain species, <i>if</i> they are increasing in number and causing apparent competition with boreal caribou (e.g., moose).	Closing Argument Section 2.1 As stated in the Response to Technical Reports (PR#239), this intensive monitoring would be considered if the WMMP monitoring indicated a concern with the status of caribou, moose or bison
NSMA (Page 6)	Related to point 5, experimental wolf hunting for wolf reductions could be included as an adaptive measure, if monitoring data suggest that wolf predation on boreal caribou is increasing due to the change in the function of the road (i.e., from its current functioning, largely as a derelict road at present, which can reduce predation by wolves, to a low-density road, known to increase wolf predation of caribou). We note that wolf hunting would be less effective if the driving force is apparent competition (5), and monitoring of alternate prey (moose, wood bison) is needed to distinguish between these two effects.	Closing Argument Section 2.1 As stated in the Response to Technical Reports (PR#239), this intensive monitoring would be considered if the WMMP monitoring indicated a concern with the status of caribou, moose or bison
NSMA (Page 6)	Ground-based wildlife surveys should be done prior to vegetation clearing, blasting, and other construction activities during the calving, post-calving, and rutting periods, as the reliance on collared animals during a period where animals are highly solitary will result in the majority of animals not being protected.	Closing Argument Section 2.1 Already committed to in the WMMP Appendix E (PR#192)
NSMA (Page 6)	Use powerful, long distance or drone flown infrared scopes to improve monitoring capabilities and distances in winter dark conditions to allow for monitoring of boreal caribou. High powered, long range infrared devices that are both hand held and operated by aerial drones can be used to search for caribou, bison and moose. Hand held infrared will be blocked in highly wooded areas, but these devices can still detect moving animals, or portions of signals between trees in low and moderate density forests (up to 3- 4 km). In highly dense forests, aerial drones with infrared detectors that scan downward through the trees may be more effective.	Closing Argument Section 2.1 This can be discussed during the public review of the WMMP. Note that unmanned aerial vehicles have very limited operational parameters with respect to wind, precipitation and temperature, and must be flown within line-of-sight.
NSMA (Page 6)	If helicopters are used, include data loggers in helicopters to collect real time data on over-flight altitudes and locations during sensitive periods for boreal caribou. These data can be used alongside radio-collar data for boreal caribou to determine if boreal caribou are avoiding helicopters, or increasing their movement speeds at various distances from helicopters.	Closing Argument Section 2.1 As stated in the Response to Technical Reports (PR#239), this suggestion will be considered for next version of the WMMP
NSMA (Page 6)	Use a blast sound effect threshold (for quarry blasts) developed through a literature review on noise levels known to impact boreal caribou, barren ground caribou, moose, and wood bison to develop a well-informed buffer distance around quarry blasts. We recommended 90 dBA in our technical review, as a conservative value for most ungulates, but we recognize that further research on the ungulate and bovids interacting with this project could lead to support for a different threshold. The dBA 7 threshold adopted in Nunavut for the Back River mine project,	Closing Argument Section 2.1 As stated in the Response to Technical Reports (PR#239), scans for wildlife near blast areas is already proposed in the WMMP (PR#192)

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
	based on a similar analysis by ERM for barren ground caribou, was 96 dBA. If the current blast buffer distance of 500 m does not exceed an informed threshold for these species, then no adjustments are needed. If it does, this buffer area should be increased accordingly (and surveyed prior to blasting using methods in 7).	
NSMA (Page 7)	Add an immediate adaptive management option, giving the environmental lead the authority to halt activity and to increase mitigation if harmful impacts to caribou are observed (without needing to wait for weekly or annual reports).	Closing Argument Section 2.1 The WMMP (PR#192) already includes a contingency for immediate reports in the case of a wildlife emergency
NSMA (Page 7)	Create escape gaps every 200 m through roadside snow, in areas where snow has accumulated to a depth of > 55 cm. Within created escape gaps, maintain snow at depths of < 55 cm, to allow young bison and other bovid and ungulate species to avoid strikes by vehicles, extended runs along the road, and the risk of depredation when stuck in deep snow.	Closing Argument Section 2.1 As described in the Response to Technical Reports (PR#239), NWT highways are managed so as not to have accumulations of roadside snow
NSMA (Page 7)	Extend restoration monitoring to 10 years into the operation period to ensure that invasive plant species are kept in check, and to conserve the habitat quality for boreal caribou.	Closing Argument Section 2.1 Commitments Appendix B Table B-3 Already agreed to by the GNWT, as noted by NSMA during the Public Hearing (PR#274)
NSMA (Page 7)	Collect, minute-by minute traffic data at several locations along the road, as opposed to traffic data averaged over multiple number of years from one location. This will allow for analysis of traffic rates by season, day, and minute, and may allow an eventual analysis of effects of road traffic on collared boreal caribou (step length, rate of movement, and deflections). Such analyses would fill a major and important data gap for road development in the north, leading to more informed Environmental Assessments and mitigation for future and existing roads.	Closing Argument Section 2.1 As described in the Response to Technical Reports (PR#239), this level of intensive data collection would only be considered if there was reason for concern. Unlikely that such a monitoring system would be acceptable to the public
NSMA (Page 7)	Record locations and dates that sodium chloride is applied to the road and utilize caribou warning signs around such locations to reduce collision risk. Report all locations and issues of wildlife attraction or vehicle collisions with wildlife associated with those locations.	Closing Argument Section 2.1 Commitments, Appendix B Table B-3 Already agreed to by the GNWT, as noted by NSMA during the Public Hearing (PR#274)
NSMA (Page 7)	Work with interested and knowledgeable stakeholders to help further guide effective monitoring and patrolling methods for access and harvest along the TASR.	Closing Argument Section 2.1, 2.10 This process is incorporated within the reporting and adaptive management section of the WMMP (PR#192), and is the premise behind the Corridor Working Group
NSMA (Page 7)	Consider group size information and seasonal changes in group sizes in the next iteration of the WMMP and rely more heavily on collar data during the late winter and rut when it reflects larger groups. Recognize that there will be significant lag time between the radio-collars producing a location signal, and when they are available to the environmental monitors – therefore signals that are much farther than the prescribed buffer distances need to be used to signal the potential presence of boreal caribou.	Closing Argument Section 2.1 As described in the Response to Technical Reports (PR#239), mitigation responses to group size was not included in the WMMP as group sizes vary widely throughout the year and the thick forest surrounding the TASR can make it difficult to determine the group size. Rather, the focus of the WMMP mitigation has moved to triggering mitigation for all and any observations of large mammals, regardless of the group size.

GNWT Closing Arguments - Appendix A
 Concordance Table for Measures Proposed by Intervenor
 January 2018

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
NSMA (Page 7)	Alter sensitive periods for boreal caribou to include post-calving and rut periods.	Closing Argument Section 2.1 Commitments, Appendix B Table B-3 The GNWT already agreed to extending the sensitive periods for boreal caribou, as noted by NSMA during the Public Hearing (PR#274)
NSMA (Page 7)	Wherever possible, avoid construction or highly disturbing construction activities, during sensitive seasons for boreal caribou.	Closing Argument Section 2.1 See mitigation for boreal caribou in sensitive season outlined in the WMMP Appendix E (PR#192)
NSMA (Page 7)	Set a clearly defined limit for the distance at which construction vehicles should stop for wildlife, including caribou, near the road in the next WMMP.	Closing Argument Section 2.1 Wildlife are provided with right-of-way on the road during construction (WMMP PR#192), see also the Response to Technical Reports (PR#239) for reasons why setback distances will have little value during TASR construction
NSMA (Page 7)	Allow additional time above the 15-minute period (up to 2 hours) for wildlife, including caribou to clear the area naturally before the Environmental Monitor will approach.	Closing Argument Section 2.1 The GNWT will review this suggestion in the next version of the WMMP, as stated in Appendix B Table B-3
NSMA (Page 7)	The snowmobile setback distance for caribou (250 m), which were present in V.1, but were lost in V.2 of the WMMP, should be added back into the next version of the WMMP.	Closing Argument Section 2.1 Wildlife are provided with right-of-way on the road during construction (WMMP PR#192), see also the Response to Technical Reports (PR#239) for reasons why setback distances will have little value during TASR construction
NSMA (Page 7)	While TK has not yet indicated any water crossings, please reference standard setback distances from water crossings, as recommended by AANDC et al. (2012) for caribou, in case that any water crossings are identified in the future.	Closing Argument Section 1.2, 2.1 Already agreed to by the GNWT, as noted by NSMA during the Public Hearing (PR#274)
NSMA (Page 8)	Clearly define survey methods and/or methods used for using TK data for determining locations of key habitat features for caribou including rutting areas, mineral licks, or water crossings in the next WMMP.	Closing Argument Section 1.2, 2.1 Appendix B Table B-3
WRRB (Page 8)	The WRRB recommends completing a robust multi-species research and planning approach, using both Tłıchǫ knowledge and science, to the WMMP for both the construction and operational phases of the TASR. The WMMP should include a focus on addressing environmental impacts for adaptive management, and the use of monitoring to specifically test the effectiveness of mitigation. Reliable and available information will provide greater clarity, improved consistency, less uncertainty and allow for better informed decision making for management authorities, including the WRRB.	Closing Argument Sections 1.2, 2.1
WRRB (Page 8)	Given the importance of the WMMP for monitoring and mitigating ɬɔdzı and ɹekwò habitat, and the limited capacity of the WRRB and other parties, the WRRB recommends that the GNWT obtain an independent technical review of the draft WMMP using knowledgeable experts in both	Closing Argument Section 2.3

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
	traditional knowledge and science from universities and/or non-government organizations.	
WRRB (Page 8)	The WRRB recommends accelerated completion of the Wek'èezhì Boreal Caribou Range Plan, the Bathurst Caribou Management Plan and Range Plan, Wek'èezhì Land Use Plan, and updated fire management legislation.	Closing Argument Section 2.4
WRRB (Page 8)	The WRRB recommends interim measures and thresholds for development and habitat should be implemented through the WMMP until the various range and management plans are completed. In the absence of clear information, as set out in the Tłıchǫ Agreement, a precautionary approach should apply.	Closing Argument Section 2.4
WRRB (Page 9)	The WRRB makes balanced wildlife management decisions by bringing together Tłıchǫ knowledge and science. As such, the WRRB welcomes the GNWT's commitment to an "overarching working group", similar to the Inuvik Tuktoyaktuk Highway Corridor Working Group. The Board does note that the group should be collaborative, including the involvement of the WRRB, should actively pursue outside expertise to conduct timely multi-species analyses and research as required, and should be active during both the construction and operational phases of the TASR.	Closing Argument Section 1.3
WRRB (Page 9)	The WRRB recommends that the collaborative steering group has the role of advising the GNWT on monitoring and mitigating the effects of the TASR. A collaborative steering group will strengthen the role of the invited representatives so that the group is more than just a place for the GNWT to share information but to exchange expertise and reach consensus about monitoring and adaptive mitigation for the TASR.	Closing Argument Section 1.3
WRRB (Page 9)	The WRRB recommends that concerns related to access, tourism and increased fishing be considered carefully. In addition, it is essential to continue to build on the elders' and harvesters' knowledge and to monitor hwe and water with a system that coincides with Tłıchǫ knowledge. Only this approach will help ensure the future success of Whatì hwe populations.	Closing Argument Sections 1.2, 2.12 DFO and the Tłıchǫ Government, with input from the WRRB, have committed to developing a fisheries management plan for TASR
WRRB (Page 9)	The WRRB recommends that Fisheries & Oceans Canada and the Tłıchǫ Government, along with WRRB and GNWT involvement, work together to scope out, and, as appropriate, design and implement an Integrated Fisheries Management Plan, using both Tłıchǫ knowledge and science, for the TASR corridor. The Plan would establish fishery objectives, assess yield and harvest, identify management issues, such as access, and their associated measures, clarify management and stewardship arrangements, design and implement a regulatory and compliance plan, and design an adaptive management plan.	Closing Argument Section 2.12 DFO and the Tłıchǫ Government, with input from the WRRB, have committed to developing a fisheries management plan for TASR
WRRB (Page 9)	As an interim step until the GNWT can complete a policy on offsetting and complete range planning for Wek'èezhì, the WRRB recommends that the GNWT work with Tłıchǫ elders and the GNWT's satellite telemetry monitoring project to identify, within Wek'èezhì, tǫdzì habitat to be set aside as a special conservation area equal to the TASR corridor buffered by 2.5 km on either side of the road.	Closing Argument Section 2.4 The GNWT is committed to supporting Tłıchǫ Government in the design and implementation of a program that uses Tłıchǫ harvesters' traditional knowledge and methods to monitor the health of caribou and the state of their habitat (Appendix B Table B-3)

GNWT Closing Arguments - Appendix A
 Concordance Table for Measures Proposed by Intervenor
 January 2018

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
WRRB (Page 9)	Further, the WRRB recommends that offsetting the TAsR footprint should be established within a conservation agreement (as mentioned in the Federal Action Plan) to provide a framework to achieving population and distribution objectives for todzl.	Closing Argument Section 2.8
ECCC (Page 2)	ECCC recommends that in the absence of surrogate data, the proponent complete baseline monitoring of avian species at risk prior to Project construction to inform and add sufficient confidence to the avian species at risk impact assessment.	Closing Argument Section 2.11
ECCC (Page 3)	To determine the presence of avian species at risk, ECCC recommends that the proponent perform avian species at risk nest monitoring at quarry and borrow sources immediately prior to commencing any disruptive activities during the general nesting period.	Closing Argument Section 2.11 Response to Technical Reports (PR#239), the WMMP states that surveys for avian species at risk will be completed weekly at least, which includes the quarries and borrow sources
ECCC (Page 3)	ECCC recommends during the pre-development site planning that the Proponent consider creating suitable habitat in inactive areas away from activities with vertical faces of at least 70 degrees prior to the breeding season.	Closing Argument Section 2.11 This commitment is made in Appendix B Table B-3
ECCC (Page 4)	ECCC recommends that if a recently-used quarry stockpile or borrow source needs to be excavated after it has been colonized and the birds have left, then the Proponent compensate by providing an alternative site that can support nesting in the following year.	Closing Argument Section 2.11
ECCC (Page 4)	In the event that clearing of disturbance cannot be scheduled outside of the nesting season, ECCC recommends that the Proponent use non-intrusive search methods to conduct an area search for evidence of nesting, prior to the commencement of clearing. Results from all pre-clearing surveys should be reported in the annual monitoring report.	Closing Argument Section 2.1, 2.11 This commitment is made in the WMMP (PR#192)
ECCC (Page 5)	ECCC recommends that the Proponent halt all disruptive activities in an area if migratory bird nests containing eggs or young are discovered. An appropriate buffer zone (i.e., setback distance) should be determined in consultation with ECCC and observed until the young have naturally and permanently left the vicinity of the nest. Buffer zones should also be adjusted after assessment their effectiveness.	Closing Argument Section 2.1, 2.11 This commitment is made in Appendix B Table B-3
ECCC (Page 5)	ECCC recommends that the Proponent update the WMMP to clarify that ECCC be included in the reporting of all instances of migratory bird and avian species at risk nesting, incident and/or mortality and that ECCC be consulted regarding any additional measures and advice for migratory birds and avian species at risk (ec.eenordrpntno-eanorthpnrnwt.ec@canada.ca).	Closing Argument Section 2.1, 2.11 This commitment is made in Appendix B Table B-3
ECCC (Page 5)	ECCC recommends that the proponent incorporate all of the above recommendations in the next revision of the WMMP.	Closing Argument Section 2.1, Appendix B Table B-3
NRCan (Page 1)	NRCan continues to recommend that the Developer continue to conduct field investigations to inform detailed design to include permafrost considerations in the final road design for the embankment, determining existing permafrost conditions, the removal of permafrost, geotechnical conditions and borrow materials.	See commitments in Appendix B Table B-3
DFO	DFO-FPP expects the GNWT to provide DFO with final detailed engineering plans for all water	Closing Argument Section 2.13 and Appendix B

Parties' Closing Argument (Page No.)	Recommended Measure	Documents where issue is addressed
	crossings, supported by measured or modeled stream flow data, for review prior to construction. DFO-FPP also expects the GNWT to have an appropriate water crossing maintenance and monitoring plan in place to minimize the development of fish passage barriers over the life of the water crossings.	
DFO	In conclusion, DFO-FPP believes that potential impacts to fish and fish habitat identified during the EA from the construction and operation of the water crossings can be avoided and/or mitigated through the regulatory process. Furthermore, potential impacts to fisheries resources resulting from the increased fishing access will be addressed through the co-development of an appropriate plan designed to specifically monitoring and manage those impacts.	See commitments in Appendix B
TG	In our review of all the issues, while we have identified concerns, we do not believe that the TASR will cause significant impacts.	No measures recommended

No. = number; TG = Tłıchǫ Government; YKDFN = Yellowknives Dene First Nation; NSMA = North Slave Métis Alliance; ECCC = Environment and Climate Change Canada; WRRB = Wek'èezhì Renewable Resources Board; DFO = Fisheries and Oceans Canada; NRCan = Natural Resources Canada; MVEIRB = Mackenzie Valley Environmental Impact Review Board; WLWB = Wek'èezhì Land and Water Board; GNWT = Government of Northwest Territories; TK = Traditional Knowledge; AANDC = Aboriginal Affairs and Northern Development Canada; WMMP = Wildlife Management and Monitoring Plan; TASR = Tłıchǫ All-Season Road; ASR = Adequacy Statement Response; cm = centimetre; < =less than; > = greater than; dBA = A-weighted decibel; km = kilometre; m = metre.

Closing Argument Documents on the Public Registry:

- YKDFN: [PR#283](#)
- NSMA: [PR#281](#)
- WRRB: [PR#282](#)
- ECCC: [PR#279](#)
- NRCan: [PR#277](#)
- DFO: [PR#278](#)
- Tłıchǫ Government: [PR#284](#)

Appendix B

Final Developer Commitments

Table of Commitments made by the GNWT for the construction (Table B-1), operation (Table B-2), environmental assessment and permitting (Table B-3) of the Tłı̄cho All-season Road (EA-1617-01).

Table B-1. GNWT Commitments Related to TASR Construction.

No.	Discipline	Subject	Source	Commitment Description – Construction Phase
1	Aquatic Environment	Blasting	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Blasting is not likely to be needed to clear the route. Should explosives be required for blasting within borrow sources or along the proposed corridor in close proximity to fish-bearing waters, blasting plans designed to avoid or minimize blasting impacts to fish and fish habitat will be provided to the appropriate authorities.
2	Aquatic Environment	Blasting	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Blasting operations will avoid or minimize impacts to fish by following DFO Measures to Avoid Causing Harm to Fish and Fish Habitat Including Aquatic Species at Risk and DFO Guidelines for the Use of Explosives in or Near Canadian Fisheries Waters, including setback distances from fish-bearing water bodies and avoiding use of explosives in or near water. No explosive will be detonated in or near fish habitat that produces, or is likely to produce, an instantaneous pressure change greater than 50 kPa in fish-bearing water in efforts to avoid direct impacts to fish.
3	Aquatic Environment	Blasting	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	To reduce the potential for introducing nutrients into water bodies or watercourses, ammonia management best practices will be implemented during storage and transport of ammonia explosives, should ammonium nitrate explosives be used.
4	Aquatic Environment	Blasting	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	To reduce the potential for introducing blasting residue into fish habitat, only the required amount of explosive will be used as necessary for the amount of rock or borrow material to be blasted. The use of ammonium nitrate-fuel oil mixtures will not occur in or within 30 m of fish bearing water (FFHPP 2016 [PR#7, Appendix X]).
5	Aquatic Environment	Camps	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	For large camps, erosion and sediment control structures will be installed where needed to avoid impacts to fish habitat (FFHPP 2016 [PR#7, Appendix X]).
6	Aquatic Environment	Camps	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Sewage waste generated from large camp construction/use will be stored in a leak-free container before being transported to an approved disposal facility to avoid impacting fish and fish habitat (FFHPP 2016 [PR#7, Appendix X]).
7	Aquatic Environment	Camps	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	All materials brought to camp sites will be removed at camp closure to avoid impacts to fish and fish habitat. Some materials may be incinerated (FFHPP 2016 [PR#7, Appendix X]).
8	Aquatic Environment	Erosion and Sediment Control	WLWB Preliminary Screening	GNWT will be using the ESC Manual as guidance in the development of an ESC plan, including monitoring, reporting and adaptive management. These plans will be finalized by the contractor ensuring the contractor is fully aware and capable of the requirements in that plan, while GNWT provides oversight while remaining accountable
9	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Sediment releases into watercourses will be mitigated by using isolation methods when completing in-stream construction. Isolation methods will be used for work below the high water mark for streams with flowing water at the time of construction (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat).
10	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Where isolations are required for construction in flowing watercourses, bypass pumps will pump water through or onto a diffuser to disperse the force of the pumped water and avoid scour of the watercourse bed and banks. Any grey water removed from the isolation will be pumped away from the watercourse and onto a vegetated area to prevent sediment from reaching the watercourse (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat). Where an adequate vegetated area is not available, grey water will be filtered before returning to the watercourse or pumped into a container and removed from site.
11	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Additional erosion mitigation (i.e., rock reinforcement or armouring) will be applied at watercourse crossings where needed to minimize future erosion, as per the GNWT Erosion and Sediment Control Manual (PR#7, Appendix W).
12	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Materials installed below the high water mark (i.e., riprap) will be clean to avoid adding deleterious substances to watercourses (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat).
13	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Disturbed areas along the streambanks will be stabilized and allowed to re-vegetate upon completion of work to minimize future erosion (FFHPP 2016 [PR#7, Appendix X]).
14	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Environmental Monitors will be onsite during construction to monitor the installation of crossing structures. Turbidity monitoring will be conducted at crossings with flowing water at the time of construction as per the In-Field Water Analysis Plan to meet regulatory requirements (PR#7, Appendix AA).
15	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Removed vegetation/debris will be removed from site to prevent them entering the watercourse, and will be managed according to the Erosion and Sediment Control Plan.
16	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Debris and excess materials resulting from construction will be removed from the work site to prevent them reaching water bodies, as per the GNWT Erosion and Sediment Control Manual (PR#7, Appendix W).
17	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	To reduce potential for sediment release, areas for cleaning equipment will be a minimum of 30 m away from watercourses and will not drain into or toward watercourses.
18	Aquatic Environment	Erosion and Sediment Release	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Excess soils resulting from construction will be removed from the work site to prevent them reaching water bodies and impacting fish and fish habitat.
19	Aquatic Environment	Erosion and Sediment Release	WLWB Preliminary Screening	The In-Field Analysis Plan can be updated to indicate the management actions that would be implemented depending on the difference between the upstream and downstream turbidity levels (including immediate response triggers such as more frequent monitoring and assessment of mitigation measure). The In-Field Water Analysis Plan will be updated to include an appendix with the locations of the watercourse crossings and associated station numbers to be set up at the commencement of construction. The In-Field Water Analysis Plan will be updated to include one set of confirmatory TSS (during construction around immediate water crossing) to identify the ballpark relationship of TSS and turbidity at each site.
20	Aquatic Environment	Erosion and Sediment Release	WLWB Preliminary Screening	Water quality grab samples upstream and downstream of the four major water crossings can be added to the In-Field Water Analysis Plan to demonstrate best water quality management practices. The plan will be updated to include grab samples of TSS at select sites/time periods over the course of construction to ensure turbidity testing remains comparable. Baseline data will be collected upstream of the construction activity at the same time as the downstream samples to provide surety of any difference in turbidity levels.
21	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	In-stream works where water is present will be conducted to avoid critical periods for spring-spawning fish, such as Arctic Grayling. In-stream work completed during the open water season will only take place between July 16 and September 14 as identified in the DFO Fish Timing Windows for the NWT to avoid impacting fish during critical life stages. In-stream works will be conducted when watercourses are dry or frozen to bed where possible.
22	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Disturbance of fish and fish habitat below the high water mark will be minimized by using snow bridges/ice fills or temporary bridges (with no fill below the high water mark) as construction access and work platforms instead of fording (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat).
23	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Pumping rates will be matched to watercourse flow rates in order to maintain fish habitat upstream and downstream of isolations (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat). Backup pumps will be kept available to ensure flows and fish habitat are maintained in the event of a malfunction of the primary pump(s).
24	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	To avoid fish entrainment/impingement, fish screens on pumps will be designed according to DFO guidelines, kept clean and free of ice and debris, and inspected for damage prior to each withdrawal. A backup fish screen will be kept available to be used if the primary screen is frozen or damaged (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat).
25	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish	Culverts will be designed and installed to avoid creating fish movement barriers and to meet normal flow velocities for all seasons; culvert slopes will be optimized during

No.	Discipline	Subject	Source	Commitment Description – Construction Phase
			and Fish Habitat	construction to reduce velocities at the outlet (FFHPP 2016 [PR#7, Appendix X]).
26	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Temporary snowfill/ice bridge crossings will be constructed to not restrict or block flow at any time to maintain fish habitat and ensure fish passage. Prior to spring break-up, ice bridges will be physically v-notched in the middle to allow it to melt from the centre (FFHPP 2016 [PR#7, Appendix X]).
27	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Project staff will not be allowed to hunt or fish during construction or operations while on their work rotation to minimize overexploitation of fish populations.
28	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Only water sources identified using DFO Protocol for Winter Water Withdrawal in the Northwest Territories will be used for winter withdrawal to avoid impacts to fish and fish habitat. Withdrawal volumes and rates will not exceed guidelines in order to maintain fish habitat.
29	Aquatic Environment	Fisheries	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	All water use will be monitored and tracked and, if required, regulated through a water license to avoid impacts to fish habitat (FFHPP 2016 [PR#7, Appendix X]).
30	Aquatic Environment	Seepage	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Runoff from quarry areas will be directed away from fish habitat and sediment control measures will be installed. Where natural topography is modified for quarry areas, natural contours will be reconstructed and the area will be revegetated upon closure.
31	Aquatic Environment	Seepage	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	The GNWT commits to avoid using borrow sources that have been characterized as having high or moderate acid rock drainage or metal leaching potential to avoid impacting fish habitat with deleterious substances; testing will verify acid rock drainage and metal leaching potential.
32	Aquatic Environment	Seepage	WLWB Preliminary Screening	Should concrete be required (and cannot be precast), un-cured/partly cured concrete will be isolated from watercourses.
33	Aquatic Environment	Seepage	WLWB Preliminary Screening	The Quarry Operations Plan will follow Lands' Guidelines. Should pit drainage be planned, appropriate management techniques will be utilized. This includes designing and constructing the quarry to drain naturally without ponding or the requirement for pumping, ensuring water exists naturally through diffuse flow back into the natural environment with the avoidance of distinct run-off channels and ensuring buffer zones of undisturbed land and vegetation for water to flow exists.
34	Aquatic Environment	Seepage	WLWB Preliminary Screening	A consultant will be hired to analyze laboratory results and will indicate what parameters should be analyzed prior to sending samples to the laboratory during in-field geotechnical investigations.
35	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Spill Contingency Plan (PR#7) will be developed and implemented, including ready access to an emergency spill clean-up kit for cleaning up any spills during construction or maintenance of the TASR. Drivers and construction crews on site will be familiar with the spill contingency plan and appropriately qualified to minimize impacts resulting from spills and leaks.
36	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Fuels, lubricants and hydraulic fluids for equipment used will be carefully handled to prevent spillage, properly secured against unauthorized access or vandalism, provided with spill containment and disposed of in accordance with the Waste Management Plan to avoid spillage impacts on fish and fish habitat. Fuel caches will be located on flat stable terrain or in natural depressions away from slopes to water bodies, and caches will be clearly marked and drums will be placed on their sides and spaced to facilitate inspections (FFHPP 2016 [PR#7, Appendix X]).
37	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Construction equipment, machinery, and vehicles will be regularly maintained to avoid accidental spills.
38	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Machinery used for work below the high water mark will use only biodegradable hydraulic fluid, and drip pans/trays will be placed under all equipment while not in use (FFHPP 2016 [PR#7, Appendix X]).
39	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	All stationary fuel storage containers will have integrated 110% secondary containment, and refueling and servicing of machinery and storage of fuel and other materials for the machinery will occur a minimum of 30 m away from any water body, where possible, to avoid impacts to fish and fish habitat (FFHPP 2016 [PR#7, Appendix X]).
40	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Equipment used in or near water will be clean and free of oil, grease or other deleterious substances. Vehicles travelling on the road will be properly loaded and loads appropriately covered where necessary (FFHPP 2016 [PR#7, Appendix X]).
41	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Accidental spill impacts will be minimized by posting and enforcing speed limits on the road.
42	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Any spills will be reported immediately to the NWT Spill Line to minimize spillage impacts, as per the Spill Contingency Plan (FFHPP 2016 [PR#7, Appendix X]).
43	Aquatic Environment	Spills	WLWB Preliminary Screening	In instances where fuel storage does not already incorporate 110% containment (such as drums and jerry cans vs. the larger double-walled storage tanks), containment pads will be provided for all fuel storage, dispensing and transfer sites
44	Aquatic Environment	Spills	WMMP	Construction and Maintenance vehicles will be equipped with spill kits and fuelled at least 30 m away from water bodies unless otherwise specified by the Inspector.
45	Aquatic Environment	Water crossings	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Culverts will be embedded as appropriate to maintain species and habitat present, and will be installed parallel to the existing channel to minimize changes to channel morphology.
46	Aquatic Environment	Water crossings	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Water crossing structures (e.g., culverts, bridges, ice bridges/snow fills) will be installed and maintained using best management practices (DFO Measures to Avoid Causing Harm to Fish and Fish Habitat) and following environmental approval conditions to minimize impacts to fish and fish habitat.
47	Aquatic Environment	Water crossings	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Permanent bridges will not contact water bodies to minimize impacts below the ordinary high water mark, bridge abutment installation will be outside of the active channel. Pier installation will be outside the active channel and within the floodplain (1 in 5 year flood).
48	Aquatic Environment	Water crossings	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Impacts to riparian vegetation at temporary crossings will be minimized by using structures such as snow fills and single-span bridges instead of fording, especially where banks are susceptible to erosion.
49	Socio-Economics and Land Use	Culture	ASR Section 5 Assessment of Socio-Economic effects	Implement the Archaeological Site Find Protocol to provide guidance to employees and contractors conducting ground disturbing operations
50	Socio-Economics and Land Use	Labour	ASR Section 5 Assessment of Socio-Economic effects	Project construction and operations will be funded through the P3 procurement process, and so will be exempt from the GNWT Business Incentive Policy requirements. However, the GNWT will include conditions in bid contracts that include a requirement for Tłı̄chǫ and Northern hires. Contractors should demonstrate how local labour and businesses will be sourced, plans to provide and maximize on-the-job training for local residents, and an approach to communicating and collaborating with local governments and Aboriginal organizations regarding local involvement in construction and operations.
51	Socio-Economics and Land Use	Labour	Section 5 Assessment of Socio-Economic effects	In the event that incidental Project activities are funded extra to the P3 process, the GNWT Business Incentive Policy will be applied, as appropriate.
52	Socio-Economics and Land Use	Land Use	Section 5 Assessment of Socio-Economic effects	The GNWT, in collaboration with the Tłı̄chǫ Government and other planning partners, is in the process of working towards the development of a land use plan for public lands in the Wek'èezhì Management Area.
53	Socio-Economics and Land Use	Land Use	PDR, Section 5.1.2	During final design phase, consideration will be taken to ensure a safe snowmobile crossing is established near bridge near km 45.2.
54	Socio-Economics and Land Use	Land Use	PDR, Section 7.1.2	Verify that the cabin sites near the Project footprint are at least 50 m away. May need to double check coordinate locations with Tłı̄chǫ Government prior to construction and ensure

No.	Discipline	Subject	Source	Commitment Description – Construction Phase
	Use			that the two cabins that will be rebuilt (burnt as a result of 2014 fire) are far enough away.
55	Socio-Economics and Land Use	Land Use	PDR, Section 5.1.2	Maintain safe access to T'ohdeehoteè, an important portage site at the La Martre River.
56	Socio-Economics and Land Use	Land Use	PDR, Section 10.9	An Emergency Response Plan will be produced and provided by the successful contractor. It will include details of how to deal with various emergency situations such as a fire, vehicle or mobile equipment incident, serious medical incidents, camp evacuation and wildlife encounters.
	Socio-Economics and Land Use	Land Use	PDR, Section 4.12	A Closure and Reclamation Plan will be produced and provided by the successful contractor. It will include details of how the temporary access roads and work camps will be closed.
57	Terrestrial Environment	Disturbance to Wildlife	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Destruction of bat roosts will be avoided by managing, to the extent possible, the incremental removal of vegetation so that it occurs outside of spring through fall. If vegetation clearing is required within this time, pre-clearing surveys and no-work zones for identified active maternity roost sites will be conducted to avoid disturbance.
58	Terrestrial Environment	Disturbance to Wildlife	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Avoid disturbance of hibernating bats by surveying for sites of hibernacula potential (i.e., abandoned buildings and mines and caves) within 200 m of ROW for bat use prior to construction.
59	Terrestrial Environment	Disturbance to Wildlife	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Avoid disturbance of bird nests and eggs by clearing land outside of the bird nesting and fledging season (May to mid-August); however, if vegetation clearing is required within this time, pre-clearing nest surveys will be completed and no-work zones will be observed for identified active nests. Through consultation with ENR and ECCC, bird nests will be protected by a buffer that protects the nest while allowing construction to continue, and will be included in the weekly wildlife monitoring reports.
60	Terrestrial Environment	Disturbance to Wildlife	WMMP	Boreal caribou collar locations will be used to notify construction crews of their proximity to active construction areas during the late-winter and calving season, and increased mitigation measures will be triggered as described in Appendix E.
61	Terrestrial Environment	Disturbance to Wildlife	WMMP	If any big game species are observed within the cleared right of way adjacent to active construction areas, speed limits will be reduced to 30 km/h within 1 km on either side of the sighting. If bison are present on roads, Environmental Monitors will be contacted. Environmental Monitors should be aware that groups of bison with more than 5 individuals are likely to be nursery groups containing calves and juveniles.
62	Terrestrial Environment	Disturbance to Wildlife	WMMP	Fixed-wing and helicopter flights associated with highway construction will consider the minimum altitude guidelines outlined in the brochure "Flying Low? Think Again..." where safety permits. Flight paths will follow the cleared highway right of way to the extent feasible.
63	Terrestrial Environment	Disturbance to Wildlife	WMMP	If available, generalized calving locations of collared boreal caribou will be provided to pilots indicating areas to avoid during the calving season. Pilots will be expected to complete a visual scan for large mammals prior to landing.
64	Terrestrial Environment	Disturbance to Wildlife	WMMP	If caribou, bison, or moose are observed during helicopter flights, they will not be approached, followed, hovered above, or circled around.
65	Terrestrial Environment	Disturbance to Wildlife	WMMP	Pilots will increase altitude and follow flight paths that veer away from caribou, bison, and moose if the animals are observed running, panicking, or exhibiting other startled response.
66	Terrestrial Environment	Invasive Plants	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Cleaning and inspection of Project vehicles and equipment prior to entering the NWT to avoid introducing noxious and invasive plants.
67	Terrestrial Environment	Invasive Plants	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Re-cleaning Project vehicles and equipment if an area of weed infestation is encountered, prior to advancing to a weed-free area to minimize the spread of noxious and invasive plants.
68	Terrestrial Environment	Invasive Plants	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Locating and managing cleaning locations on the Project site to avoid the spread of noxious and invasive plants.
69	Terrestrial Environment	Invasive Plants	WMMP	Herbaceous plant surveys of the Project footprint will be completed during the growing season by a qualified botanist in advance of construction, one year following construction and again after five years of operations. If rare plants and/or invasive species are found, ENR will be consulted to determine next steps.
70	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Hazardous materials and fuel will be stored according to regulatory requirements to avoid contamination to the environment and workers.
71	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	An approved Spill Contingency Plan will be followed by Project staff to prevent spills and if they were to occur as a result of an accident, that they will be controlled to minimize the area impacted.
72	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Emergency spill kits will be available wherever toxic materials or fuel are stored and transferred during construction to minimize effects to vegetation and wildlife habitat.
73	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Spill response and containment will be completed expeditiously in accordance with the approved site specific Spill Contingency Plan to reduce the area impacted. Spills will be reported in a timely manner.
74	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Construction equipment, machinery, and vehicles will be regularly maintained to avoid accidental spills.
75	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Domestic and recyclable waste and dangerous goods will be stored on site in appropriate containers, as per the Waste Management Plan, to avoid exposure until they are shipped off site to an approved facility, and to prevent spills or leakage into the surrounding environment that would cause habitat degradation.
76	Terrestrial Environment	Spills	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Fuel storage areas will be equipped with spill kits, will be located at least 30 m away from water bodies. Large fuel storage tanks (2,000 to less than 80,000 litres) will be double walled as per the regulations
77	Terrestrial Environment	Wildlife Habitat	WMMP	Dust suppression techniques (as per the GNWT Guideline for Dust Suppression and the GNWT-INF Erosion and Sediment Control Manual) will be utilized as required and feasible to reduce dust emissions onto vegetation outside of the right of way.

No.	Discipline	Subject	Source	Commitment Description – Construction Phase
78	Terrestrial Environment	Wildlife Habitat	ASR Section 4 Effects to Wildlife and Wildlife Habitat	The current layout of the Project footprint will minimize the amount of new disturbance by primarily following the existing Old Airport Road route to Whatì and intersecting areas previously burned.
79	Terrestrial Environment	Wildlife Habitat	ASR Section 4 Effects to Wildlife and Wildlife Habitat	Lights will be positioned to shine downwards and/or will be fixed with shielding to minimize the distribution of peripheral light and shut off when not in use.
80	Terrestrial Environment	Wildlife Habitat	WMMP	Limit the cleared TASR corridor to 60 m wide (not including the borrow sites and access corridors).
81	Terrestrial Environment	Wildlife Habitat	WMMP	Borrow source areas will be minimized and will be located close to the TASR right of way so that access roads are short. Most of the borrow sources also overlap the TASR alignment so additional disturbance to access these areas will be limited.
82	Terrestrial Environment	Wildlife Habitat	WMMP	If borrow pits and quarries are no longer required during the operations phase, reclamation will be conducted in consideration of the Northern Land Use Guidelines for Pits and Quarries. Once reclamation activities are complete, access will be blocked to quarries and borrow sources that are no longer required.
83	Terrestrial Environment	Wildlife Habitat	WMMP	Birds will be deterred from nesting on infrastructure by placing covers/screens on vents, holes, and crevices where birds could potentially nest, and if necessary through active (but non-lethal) disturbance of birds to discourage them from establishing a nest on a construction site. If bird nesting occurs, the nest will not be disturbed until after the birds have left the area, with clearance to be discussed in consultation with GNWT-ENR and ECCC.
84	Terrestrial Environment	Wildlife Habitat	WMMP	If any reclamation activities are planned for the terrestrial portions of the existing Tłı̄chų winter road, it will be managed and addressed jointly by the Tłı̄chų Government and the GNWT by way of a bilateral agreement.
85	Terrestrial Environment	Wildlife Habitat	WMMP	Operating machinery on highly saturated soil (primarily during freshet) outside of the highway alignment, borrow sources and borrow source access roads will be avoided where practical. Where it is unavoidable, suitable ground equipment will be used to prevent unnecessary soil damage through rutting, etc.
86	Terrestrial Environment	Wildlife Habitat	WMMP	Layout and location of quarries will consider the Northern Land Use Guidelines for Pits and Quarries.
87	Terrestrial Environment	Wildlife Habitat	WMMP	Reduced speed limits (50 km/h) during construction will reduce dust production.
88	Terrestrial Environment	Wildlife Habitat	WMMP	Quarries will be operated in accordance with the ECCC brochure Bank Swallows in Sandpits and Quarries.
89	Terrestrial Environment	Wildlife Safety	WMMP	Construction activities will consider sensitive periods. For example, vegetation clearing is planned to occur outside of the nesting season for migratory birds.
90	Terrestrial Environment	Wildlife Safety	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Wildlife will have the right-of-way on all roads during construction.
91	Terrestrial Environment	Wildlife Safety	WMMP	In the event that an active mammal den or bird nest is identified during construction, GNWT-ENR will be consulted to determine an appropriate strategy to avoid or minimize disturbance. A protocol for pre-clearing den surveys will be developed once the final TASR alignment and borrow source locations are determined.
92	Terrestrial Environment	Wildlife Safety	WMMP	Observations of caribou, moose, bison, and other big game and species at risk will be reported to Environmental Monitors. Observations of species at risk will be reported to GNWT-ENR through weekly reports.
93	Terrestrial Environment	Wildlife Safety	WMMP	Harassment, feeding or approaching wildlife by Project staff will be prohibited.
94	Terrestrial Environment	Wildlife Safety	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Project staff will be provided with environmental awareness training.
95	Terrestrial Environment	Wildlife Safety	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Environmental Monitors will be on site to document wildlife and manage and minimize risks to wildlife and workers.
96	Terrestrial Environment	Wildlife Safety	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	Exposure of wildlife to contaminants will be avoided by use of appropriate deterrents (e.g., temporary fencing, noise makers) to discourage wildlife from entering an affected area.
97	Terrestrial Environment	Wildlife Safety	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	No hunting or fishing by Project staff will be permitted.
98	Terrestrial Environment	Wildlife Safety	WMMP	Development and implementation of a Waste Management Plan to avoid access to food waste by wildlife. This will include: <ul style="list-style-type: none"> Waste products will be stored in secured containers and transported to approved facilities to avoid access by wildlife. Food waste will be collected in bear proof containers that minimize attraction or impact to wildlife. Littering and feeding of wildlife will be prohibited to avoid wildlife attraction to the site. All workers and visitors will be educated on waste management practices for the Project site to avoid wildlife attraction.
99	Terrestrial Environment	Wildlife Safety	WMMP	Workers will not travel off of Project site unless there is a specific requirement.
100	Terrestrial Environment	Wildlife Safety	WMMP, Section 5.2.3 and 5.2.4 GNWT response to WRRB questions on fish and wildlife (PR#211)	The GNWT is committed to supporting, subject to availability of additional resources, the Tłı̄chų Government in the design and implementation of a program that uses Tłı̄chų harvesters' traditional knowledge and methods to monitor the health of boreal caribou (tòdzı) and the state of their habitat, and the state of barren-ground caribou (zekwò) winter habitat, during and after the completion of the TASR Project. Further details of the program, including monitoring questions and approach, will be determined following discussion with traditional harvesters and elders through engagement with Tłı̄chų Government, with a view it be included as a component of the Wildlife Management and Monitoring Plan (WMMP) to be finalized and approved during the regulatory phase for this Project. The expertise and advice of the WRRB will also be sought in the design of the program.
101	Terrestrial Environment	Wildlife Safety	WMMP	Project staff will communicate relevant observations of wildlife to other drivers via radio.
102	Terrestrial Environment	Wildlife Safety	WMMP	Blasting may only proceed if no large mammals (e.g.) caribou, moose, bison are detected in the blast radius identified by Blast Supervisor. The Blast Supervisor or Environmental Monitor will conduct a visual scan of the blast radius prior to blasting to ensure no large mammals are present. All blasting will be preceded by air horn signals, which should deter wildlife from the area. Specific mitigation measures that apply to blasting during the late-winter and calving season for collared boreal caribou are included in Appendix E.
103	Terrestrial Environment	Wildlife Safety	WMMP	The presence of large mammals (caribou, moose, and bison) and other wildlife will be communicated to construction workers, which will minimize risks of physical hazards through site-wide awareness. Project staff will communicate relevant observations of wildlife to other drivers via radio. If bison, caribou or moose are observed within construction areas, and their safety, or the safety of workers or equipment, are at imminent risk, operations at that particular work site will be temporarily suspended by the Project Supervisor to allow wildlife to move away from the area of their own accord. If they do not leave the area within 15 minutes, they will be gently encouraged to move away from construction activities, and an incident report will be completed. This will involve the slow approach of Environmental Monitors towards the caribou/moose/bison to encourage them to move. It is possible that females may be unwilling to leave the area if they have a calf hiding nearby. In these cases, operations in the area may be suspended by the Project Supervisor.
104	Terrestrial Environment	Wildlife Safety	WMMP	An appropriately designated supervisor will provide field workers with Bear Aware training and general wildlife awareness.

No.	Discipline	Subject	Source	Commitment Description - Construction Phase
105	Terrestrial Environment	Wildlife Safety	WMMP ASR Section 4 Effects to Wildlife and Wildlife Habitat	To avoid wildlife harvest, firearms will not be allowed on-site during construction except for firearms in the possession and control of authorized Environmental Monitors or law enforcement officers.
106	Terrestrial Environment	Wildlife Safety	WMMP	Camps and buildings will be designed to prevent wildlife interactions, including appropriate storage of non-waste wildlife attractants (e.g. food and petroleum products) and use of adequate lighting will be installed in areas where it is essential to detect bears that may be in the vicinity.
107	Terrestrial Environment	Wildlife Safety	WMMP	In case of wildlife exposure to contaminants, territorial (GNWT-ENR) or federal (ECCC) authorities will be contacted immediately to determine appropriate course of action, which may include capturing, relocating or treating contaminated wildlife.

No. = number; TG = Tłıchǫ Government; ECCC = Environment and Climate Change Canada; WRRB = Wek'èezhì Renewable Resources Board; DFO = Fisheries and Oceans Canada; WLWB = Wek'èezhì Land and Water Board; GNWT = Government of Northwest Territories; ENR = Environment and Natural Resources; WMMP = Wildlife Management and Monitoring Plan; TASR = Tłıchǫ All-Season Road; ASR = Adequacy Statement Response; m = metre.

Table B-2. GNWT Commitments Related to TASR Operations.

No.	Discipline	Subject	Source	Commitment Description - Operations
1	Aquatic Environment	Erosion and Sediment Control	WLWB Preliminary Screening	GNWT will be using the ESC Manual as guidance in the development of an ESC plan, including monitoring, reporting and adaptive management. These plans will be finalized by the contractor ensuring the contractor is fully aware and capable of the requirements in that plan, while GNWT provides oversight while remaining accountable
2	Aquatic Environment	Erosion and Sediment Control	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Dust entering fish habitat will be minimized by enforcing speed and load limits to preserve the road bed, and regular road maintenance will be conducted to suppress dust production (as per the GNWT Guideline for Dust Suppression).
3	Aquatic Environment	Erosion and Sediment Control	ASR Section 3 Assessment of Effects to Fish and Fish Habitat and in WMMP	Riparian areas will be maintained whenever possible to minimize erosion and impacts to fish habitat, with vegetation removal limited to the width of the right of way. At watercourse crossings, a riparian buffer will be maintained along the width of the right of way except at the actual crossing location (FFHPP 2016 [PR#7, Appendix X]).
4	Aquatic Environment	Erosion and Sediment Control	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Watercourses will be inspected upstream and downstream of the crossings for erosion, scour, and flow blockages during the spring freshet and through the open water season, as required. Impacts will be minimized by culvert maintenance, including removal activities of debris (e.g., ice, beaver dams), following DFO guidance (i.e., gradual removal such that flooding downstream, extreme flows downstream, release of suspended sediment, and fish stranding can be avoided).
5	Aquatic Environment	Erosion and Sediment Control	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Snow will be ploughed off of the road in such a manner that it melts into vegetated areas in the spring to filter out sediment, minimizing downstream sedimentation impacts to fish and fish habitat (FFHPP 2016 [PR#7, Appendix X]).
6	Aquatic Environment	Erosion and Sediment Control	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Drainage from quarries will not flow directly into any water bodies or watercourses and a minimum of 30 m of undisturbed land will be maintained between a quarry and any fish bearing water body to avoid impacts to fish habitat (FFHPP 2016 [PR#7, Appendix X]).
7	Aquatic Environment	Spills	WLWB Preliminary Screening	In instances where fuel storage does not already incorporate 110% containment (such as drums and jerry cans vs. the larger double-walled storage tanks), containment pads will be provided for all fuel storage, dispensing and transfer sites.
8	Aquatic Environment	Spills	WLWB Preliminary Screening	GNWT will be using the ESC Manual as guidance in the development of an ESC plan, including monitoring, reporting and adaptive management. These plans will be finalized by the contractor ensuring the contractor is fully aware and capable of the requirements in that plan, while GNWT provides oversight while remaining accountable.
9	Aquatic Environment	Spills	ASR Section 3 Assessment of Effects to Fish and Fish Habitat	Road maintenance equipment will be regularly maintained and inspected to ensure it is free of leaks to avoid impacts to fish and fish habitat (FFHPP 2016 [PR#7, Appendix X]).
10	Aquatic Environment	Water Crossings	ASR Section 3 Assessment of Effects to Fish and Fish Habitat and in WMMP	Disturbed areas along the streambanks will be stabilized and allowed to revegetate upon completion of work to minimize erosion.
11	Aquatic Environment	Water Crossings	WMMP	Culverts will be embedded as appropriate to maintain species and habitat present, and will be installed parallel to the existing channel to minimize changes to channel morphology.
12	Socio-Economics and Land Use	Health and Well-Being	ASR Section 5 Assessment of Socio-Economic effects	Speed limits aimed at maintaining safe driving speeds for vehicles.
13	Socio-Economics and Land Use	Health and Well-Being	ASR Section 5 Assessment of Socio-Economic effects	There are no shelters in the Tłı̄chǫ region, however the TCSA and the GNWT are engaging with the communities to create community specific family violence protocols and response teams. This is done via a contribution agreement between the Department of Health and Social Services and the TCSA to cover the costs associated with community engagement and development of the protocols by a consultant.
14	Socio-Economics and Land Use	Labour	ASR Section 5 Assessment of Socio-Economic effects	Project construction and operations will be funded through the P3 procurement process, and so will be exempt from the GNWT Business Incentive Policy requirements. However, the GNWT will include conditions in bid contracts that include a requirement for Tłı̄chǫ and Northern hires. Contractors should demonstrate how local labour and businesses will be sourced, plans to provide and maximize on-the-job training for local residents, and an approach to communicating and collaborating with local governments and Aboriginal organizations regarding local involvement in construction and operations.
15	Socio-Economics and Land Use	Labour	ASR Section 5 Assessment of Socio-Economic effects	In the event that incidental Project activities are funded extra to the P3 process, the GNWT Business Incentive Policy will be applied, as appropriate.
16	Socio-Economics and Land Use	Labour	ASR Section 5 Assessment of Socio-Economic effects	Planning for employment and local opportunity catchment is expected to reduce a surge in the required out-of-territory labour force during construction, reducing the potential for in-migration into the region. (PR#96 Tłı̄chǫ Government IR 1).
17	Socio-Economics and Land Use	Land Use	ASR Section 5 Assessment of Socio-Economic effects	The GNWT, in collaboration with the Tłı̄chǫ Government and other planning partners, is in the process of working towards the development of a land use plan for public lands in the Wek'èzhì Management Area.
18	Socio-Economics and Land Use	Land Use	PDR, Section 5.1.2	Maintain safe access to T'ooheehoteè, an important portage site at the La Martre River.
19	Socio-Economics and Land Use	Land Use	ASR Section 5 Assessment of Socio-Economic effects	GNWT-ENR will enforce the NWT's hunting regulations which are in place to ensure that wildlife is conserved for future generations and that hunting is done safely.
20	Terrestrial Environment	Invasive Plants	WMMP	Herbaceous plant surveys of the Project footprint will be completed during the growing season by a qualified botanist in advance of construction, one year following construction and again after five years of operations. If rare plants and/or invasive species are found, ENR will be consulted to determine next steps.
21	Terrestrial Environment	Invasive Plants	NSMA Technical Report Response PR#239	One more survey will be added to the Non-Native/Invasive Species Monitoring Plan. This will be done by a qualified botanist, 10 years after the start of road operations, as northern invasive species can be slow to establish.
22	Terrestrial Environment	Wildlife Habitat	WMMP ASR, Section 4 Effects to Wildlife and Wildlife Habitat	Signs indicating the daily wildfire risk will be posted by GNWT at the TASR junctions at Highway 3 and the existing Whatl community access road to minimize the risk of accidental fires.
23	Terrestrial Environment	Wildlife Habitat	WMMP	Dust suppression techniques (as per the GNWT Guideline for Dust Suppression and the GNWT-INF Erosion and Sediment Control Manual) will be utilized as required and feasible to reduce dust emissions onto vegetation outside of the right of way.
24	Terrestrial Environment	Wildlife Habitat	WMMP, Section 5.2.3 and 5.2.4 GNWT response to WRRB questions on fish and wildlife (PR#211)	The GNWT is committed to supporting, subject to availability of additional resources, the Tłı̄chǫ Government in the design and implementation of a program that uses Tłı̄chǫ harvesters' traditional knowledge and methods to monitor the health of boreal caribou (tòdzı) and the state of their habitat, and the state of barren-ground caribou (zekwò) winter habitat, during and after the completion of the TASR Project. Further details of the program, including monitoring questions and approach, will be determined following discussion with traditional harvesters and elders through engagement with Tłı̄chǫ Government, with a view it be included as a component of the Wildlife Management and Monitoring Plan (WMMP) to be finalized and approved during the regulatory phase for this Project. The expertise and advice of the WRRB will also be sought in the design of the program.

25	Terrestrial Environment	Wildlife Safety	WMMP	Speed limits will be established, posted, and enforced to reduce the risk of vehicle-wildlife collisions.
26	Terrestrial Environment	Wildlife Safety	WMMP	GNWT has the ability to install temporary portable signage and temporarily lower speed limits on parts of the TASR if a localized wildlife collision hazard is present. This mitigation will be applicable to areas where groups of bison, caribou, or moose are seen or reported along the right of way, in areas where wildlife-vehicle collisions repeatedly occur, or where caribou are known to be nearby based on collar data.
27	Terrestrial Environment	Land Use	WMMP	As the operational phase will require gravel, borrow pits will remain only accessible to Project Co. staff and blocked to unauthorized personnel. Protocols to follow the Quarry Operations Plan.
28	Terrestrial Environment	Land Use	WWMP Public Hearing Transcripts Day 2	There will be a winter checkpoint station for barren-ground caribou on the TASR between Highway 3 and Whati.

No. = number; TG = Tłıchǫ Government; NSMA = North Slave Metis Alliance; ECCC = Environment and Climate Change Canada; WRRB = Wek'èezhì Renewable Resources Board; DFO = Fisheries and Oceans Canada; WLWB = Wek'èezhì Land and Water Board; GNWT = Government of Northwest Territories; ENR = Environment and Natural Resources; WMMP = Wildlife Management and Monitoring Plan; TASR = Tłıchǫ All-Season Road; ASR = Adequacy Statement Response; km = kilometre; m = metre.

Table B-3. GNWT Commitments Related to TASR Environmental Assessment and Permitting.

No.	Subject	Source	Commitment – EA and Permitting Process	Status (as of 14 November 2017)	Notes
1	WMMP	Technical Session Commitment 1, PR#171, 238	GNWT to meet with any interested parties to discuss any additional documents or outcomes of responses to IRs and WMMP, if requested	Ongoing	The GNWT responded to questions from WRRB (PR#211). The GNWT responded to NSMA questions (PR#155 and PR#187). GNWT remains open to meeting with parties when requested.
2	WMMP	Technical Session Commitment 2, PR#171, 238	If there are outstanding issues to consider, GNWT will consider a public review of the WMMP after the EA process is complete.	Revisit after EA	GNWT-ENR submitted a letter to GNWT-INF on Oct 16, 2017 identifying that a WMMP was required for the TASR and that the WMMP will undergo a public review (PR#225).
3	Caribou	Technical Session Commitment 3, PR#171, 238	GNWT commits to describe the likelihood of caribou distribution relative to the RSA by specifically including all available data on the distribution of barren-ground caribou on the western winter ranges including locations of harvesting and locations of caribou recorded during winter aerial surveys since 1996.	Complete	Submitted to the Review Board on September 18, 2017. See PR#189 for the response and PR#190 for the associated maps.
4	WMMP	Technical Session Commitment 4, PR#171, 238	GNWT commits to sharing its cumulative effects monitoring and adaptive mitigation protocols for TASR with Fortune Minerals, and collaborate with Fortune for opportunities to share boreal and barren-ground caribou monitoring and mitigation.	Revisit in 2018	In the next revision of the WMMP, the GNWT commits to considering opportunities for collaboration and data sharing with Fortune Minerals NICO Project. Fortune Minerals commits to sharing wildlife monitoring data with the Tłı̨ch̨ Government and the GNWT, and considering opportunities for collaborative monitoring at the proposed NICO Project. In coordination with the Tłı̨ch̨ Government and the GNWT, Fortune Minerals commits to collaborative monitoring of harvesting and access on the proposed NICO Project Access Road.
5	WMMP	Technical Session Commitment 5, PR#171, 238	GNWT to commit as part of traffic monitoring to look at average annual daily traffic and variations of traffic over time and provide the data in a timely way with the WEMP reporting.	Complete	Details incorporated into the WMMP (PR#192). Tracking of this commitment will fall under WMMP report tracking.
6	WMMP	Technical Session Commitment 6a, PR#171, 238	GNWT commits to a literature search for effects of a range of potential seasonal traffic rates; including a maximum of 200 vehicles per day for moose, caribou and bison. The GNWT will incorporate the result of the literature search into the draft WMMP, which will be provided by September 22, 2017.	Complete	Incorporated into the WMMP as Appendix G (PR#192).
7	WEMP	Technical Session Commitment 6b, PR#171, 238	GNWT commits to research and produce biologically relevant traffic exceedance values (related to information gathered in the literature search in commitment 6a) to trigger adaptive management in the WEMP. These may be seasonally-specific and/or species specific.	Complete	Incorporated into section 5.2.1 of WMMP (PR#192). Threshold of literature indicated 300-500 vehicles/day; however, the GNWT chose a 200 vehicles/day trigger to be precautionary and to reflect the design criteria for the road.
8	Water Crossings	Technical Session Commitment 7, PR#171, 238	GNWT commits to review concerns regarding culverts, including a site visit with elders to view potential culvert locations, and commits to bring a harvester along with the DFO water crossing review, as feasible.	Complete	Harvester John Beaverho from Whatı accompanied Golder and DFO on water crossing tour Sept 20-21, 2017 (PR#235). Elder helicopter tour and culvert workshop occurred on Oct 11, 2017. Presentation and tour summary was posted to the public registry on October 26 (PR#234).
9	Caribou	Technical Session Commitment 8, PR#171, 238	The GNWT commits to enter into licensing agreements with the Tłı̨ch̨ Government on boreal caribou collaring data, as soon as it becomes available.	Revisit in January 2018	ENR to complete this task. No data-sharing agreement as of October 20. ENR can follow-up with Tłı̨ch̨ Government on setting up this agreement. Commitment falls outside of TASR Project.
10	Caribou	Technical Session Commitment 9a	The GNWT commits to providing boreal caribou collar maps for the summer, breeding, fall and winter periods as the information becomes available, as stated in the GNWT's response to ECCC IR#7	Ongoing	ENR to complete this task and provide directly to ECCC when more maps become available. Second set of maps provided in PR#199 on September 28, 2017.
11	Caribou	Technical Session Commitment 9b, PR#171, 238	The GNWT commits to providing a narrative to accompany the figures provided in the GNWT's response to ECCC IR#7 (PR#128). This narrative will include an explanation of boreal caribou movements around Highway 3 and will be provided prior to the final technical report submission date.	Complete	Completed September 28, 2017. Uploaded as PR#199.
12	WMMP	Technical Session Commitment 10, PR#171, 238	The GNWT commits to providing the protocol outlining how boreal caribou collaring data was used for the TASR geotechnical investigations. The GNWT will provide new protocols for how boreal caribou collar data will be used during construction and operation of the TASR in the updated WMMP.	Complete	First part of commitment was submitted to Review Board for posting to public registry on Sept 8 (see PR#181). Second part was incorporated into WMMP (PR#192).
13	WRRB	Technical Session Commitment 11, PR#171, 238	The WRRB will be unable to provide the final report on Tłı̨ch̨ knowledge of todzi, boreal caribou, and wildfire which will contain information about key habitat types within their range. However, the WRRB may be able to identify if any of those special habitats for boreal caribou are in the vicinity of the proposed road route and provide this information to the Review Board by October 4, 2017.	Complete	WRRB commitment. WRRB submitted response to Review Board on Oct 3 (PR#210). This material was reviewed prior to the GNWT submitting its response to intervenor technical reports.
14	WMMP	Technical Session Commitment 12, PR#171, 238	The GNWT commits to including monitoring and mitigation of avian species at risk at pit run borrow sources and stockpile locations in the next version of the WMMP which will be provided prior to the final technical report submission date.	Complete	Captured in WMMP (PR#192).
15	WMMP	Technical Session Commitment 13, PR#171, 238	Removed – included in revised wording for commitment 12.	N/A	N/A
16	Water crossings	Technical Session Commitment 14, PR#171, 238	The GNWT commits to take DFO on site tours of stream crossing before freeze-up to confirm the ephemeral nature of crossings.	Complete	Golder, DFO & Harvester John Beaverho travelled alignment Sept 20-21, 2017. Summary of the fieldtrip and fish habitat survey was posted to the public registry on October 26 (PR#235).
17	Health and Well-being	Technical Session Commitment 15, PR#171, 238	The GNWT will provide the Review Board with the 'Mind and Spirit' framework that was released in November 2016, which sets the foundation for the GNWT's improvements to mental health and additions programs and services.	Complete	Provided to Review Board and uploaded to public registry (see PR#170).
18	Workplace safety	Technical Session Commitment 16, PR#171, 238	GNWT commits to review construction and operation work safe policies for the TASR with a gender lens to strive for safety of women.	Revisit in February – March 2018	The GNWT will engage the short-listed proponents during the collaborative sessions as a part of the procurement process to review how the proponents' construction and operation work safe policies for the TASR consider safety of women. Based on the results of these sessions, the GNWT may meet with the Tłı̨ch̨ Government to discuss. The proponents' work safe policies will be compared to internal GNWT policies on workplace safety and to industry best practices.

No.	Subject	Source	Commitment - EA and Permitting Process	Status (as of 14 November 2017)	Notes
19	Highway Safety	Technical Session Commitment 17, PR#171, 238	GNWT commits to update the Multi-Agency Rescue Coordination System (MARCS) in collaboration with the community government of Whatì and the community government of Behchokò.	Revisit in February – March 2018	The 2017/2018 operational assessment referenced in commitment 18 includes an assessment of the current operating environment in addition to an assessment of MARCS. As outlined in the commitment 18 below, this assessment is already underway. The operational assessment should determine whether the MARCS is adequately serving its intended purpose, which is to establish a basic architecture for facilitating on-scene command and control, coordinating resources, and integrating multiple agencies for incidents and emergencies on NWT highways. Should the operational assessment indicate that MARCS should be replaced or changed, this will be carefully considered in the development of a GNWT action plan in support of community-based ground ambulance and highways rescue services.
20	Highway Safety	Technical Session Commitment 18, PR#171, 238	The parties commit that the 2017/2018 operational assessment will include analysis for the TASR and will jointly coordinate a community government of Whatì and community government of Behchokò and GNWT session, yielding an examination of the current operating environment for the purpose of determining an acceptable standard of service and the necessary resources to maintain the desired service level.	Revisit in February – March 2018	Work is well underway on this commitment. Interviews have already been completed for several key communities, including Behchokò. Interviews with municipal officials in Whatì will be conducted in November. Inter-jurisdictional and standards research will soon follow based on the findings and qualitative data collected via consultation. The GNWT's lead department, MACA, expects a baseline report to be complete in 2017, which will be followed by a facilitated discussion with senior GNWT officials in January 2018 to determine future actions necessary to support and develop an effective ground ambulance and highway rescue response capacity in the NWT. Results of this assessment will be provided to the short-listed proponents during the collaborative sessions for procurement if required to aid with Project design.
21	Highway Safety	Technical Session Commitment 19, PR#171, 238	The GNWT will consider having a camera on the TASR for the purpose of monitoring road conditions to assist in maintenance activities and to allow the public to see real-time road conditions prior to travelling, which can enhance traveller safety.	Revisit in February – March 2018	The GNWT will engage with the short-listed proponents during the collaborative sessions as a part of the procurement process to determine if proponents would consider having a camera on the TASR for the purpose of monitoring road conditions to assist in maintenance activities and to allow the public to see real-time road conditions prior to travelling, which can enhance traveller safety, and which would be compatible with the NWT's overarching intelligent transportation systems plan. Amendment to commitment during Day 3 public hearing: If the GNWT installs a camera, the GNWT will also consider having signage to note that a camera is installed.
22	Highway Safety	Technical Session Commitment 20, PR#171, 238	The GNWT intends to consult with the Tłı̨chų Government and Project Co. from a highway safety perspective to ensure that there is a cohesive plan for access points or rest stops on the highway including appropriate signage where necessary.	Revisit in February – March 2018	The GNWT and Tłı̨chų Government will meet to discuss access points or rest stops at a time concurrent to the collaborative sessions that the GNWT will hold with the short-listed proponents. The first collaborative session is tentatively scheduled in February 2018 as a part of the RFP process.
23	Land Use	Technical Session Commitment 22, PR#171, 238	The GNWT will provide the Review Board with an overview of findings from the summer archaeological impact assessment conducted as part of land use permit W2016S0009.	Complete	Summary report submitted September 25, 2017 (PR#193).
24	Water Quality	Technical Session Commitment 23, PR#171, 238	The GNWT commits to avoid using borrow sources that have been characterized as having high or moderate acid rock drainage or metal leaching potential.	Complete	Draft borrow source geotechnical report was provided on September 29 and uploaded to public registry (PR#200 to PR#208). Geochemical results indicate no ARD or ML potential for any of the sources.
25	Water Quality	Technical Session Commitment 24, PR#171, 238	The GNWT commits to providing the following with the water licence application and for approval: <ul style="list-style-type: none"> • A draft Sediment and Erosion Control Plan • Measures for potential thermal erosion events • Relevant lessons learned from other northern road projects (e.g. Inuvik to Tuktoyaktuk Highway) with respect to sediment and erosion control • An updated In-Field Water Analysis Plan with further details on monitoring frequency and duration 	Revisit in January 2018	Will be revisited when reapplying for the water licence.
26	WMMP	Technical Session Commitment 25, PR#171, 238	The GNWT commits to providing an updated WMMP to parties by September 22, 2017, and agrees to organize a half-day session with all interested parties to facilitate an overview of the revised WMMP.	Complete	WMMP submitted on Sept 22 (PR#192). Half-day workshop occurred on Sept 28 (PR#209). Second meeting occurred on Oct 3 for those who could not attend first meeting (PR#213).
27	WMMP	Tłı̨chų Government Technical Report, PR#216	Post Technical Session Commitment 4: The Tłı̨chų Government runs strong and effective programs that collect traditional knowledge and answer citizens' questions. They are strong counterparts to the data collected by the GNWT. The WMMP Annual Reports and Comprehensive Reports will consider other studies that are conducted on an annual basis in the region, and will specifically review traditional knowledge of the harvesters and the elders from existing Tłı̨chų programs in order to inform adaptive management and revise or change mitigations as indicated by the research.	Outstanding	
28	WMMP	Tłı̨chų Government Technical Report, PR#216	The GNWT and Tłı̨chų Government commit to regular, face-to-face meetings to support the integration of traditional knowledge and western science monitoring perspectives throughout the process.	Outstanding	
29	WMMP	Meeting between GNWT and ECCC, PR#132	GNWT/Golder will assess ECCC's avian monitoring data from Highway 3 when it is received and update their effects assessment with the data incorporated, or provide an explanation as to why the data will not be included. GNWT will post the decision to use additional data or not to the public registry once available	Complete, PR#175	
30	WMMP	GNWT Response to MVEIRB	A draft Wildlife Effects Monitoring Program (WEMP) will be provided prior to the technical	Complete	A draft WEMP was submitted on August 4, 2017 (PR#151). The draft WEMP and the revised WWHPP

No.	Subject	Source	Commitment - EA and Permitting Process	Status (as of 14 November 2017)	Notes
		IR #3 - Boreal Woodland Caribou	sessions and a revised draft Wildlife and Wildlife Habitat Protection Plan (WWHPP) will be provided to reviewers prior to the public hearing. Together, the WEMP and WWHPP constitute a Wildlife Management and Monitoring Plan (WMMP), which will outline caribou management specifics.		were consolidated into the Wildlife Management and Monitoring Plan (WMMP). The draft WMMP was submitted on September 22, 2017 (PR#192).
31	WMMP	GNWT Response to ECCC IR#10 - WMMP	A draft WEMP will be provided prior to the technical sessions and a revised draft WWHPP will be provided to reviewers prior to the public hearing. Together, the WEMP and WWHPP constitute a WMMP.	Complete	A draft WEMP was submitted on August 4, 2017 (PR#151). The draft WEMP and the revised WWHPP were consolidated into the Wildlife Management and Monitoring Plan (WMMP). The draft WMMP was submitted on September 22, 2017 (PR#192).
32	WMMP Updates	Informal conversations with WRRB.	Clarify that bird nesting monitoring includes little brown myotis.	Outstanding	
33	WMMP Updates	Response to WRRB Technical Report, section 2.7.2, PR#239	Add the list of ASR measurement indicators and associated WMMP Pathway Categories to the WMMP.	Outstanding	
34	WMMP Updates	Response to WRRB Technical Report, section 2.7.2, PR#239	Consider the WRRB's suggestion that "The range of monitoring techniques and mitigation actions should be expanded (see preceding text) to use the experience gained from elsewhere and especially for the operational phase."	Outstanding	
35	WMMP Updates	Response to NSMA Technical Report, section 2.1.2 and 2.2.2, PR#239	Consider NSMA's traditional knowledge study when making decisions about the WMMP and discuss how NSMA could participate in traditional knowledge based monitoring programs for the WMMP.	Outstanding	
36	WMMP Updates	Response to NSMA Technical Report, section 2.2.2, PR#239	NSMA will have the opportunity to review and comment on annual and comprehensive WMMP reports.	Outstanding	
37	WMMP Updates	Response to NSMA Technical Report, section 2.2.2, PR#239	GNWT will invite NSMA members to participate in wildlife surveys when opportunities are available.	Outstanding	
38	WMMP Updates	Response to NSMA Technical Report, section 2.2.6, PR#239	GNWT will include NSMA, and any other potentially affected Aboriginal government or organization, in any discussions relating to concerns about unsustainable levels of wildlife harvest in the TASR Project area. The GNWT will update the WMMP to include a more detailed list of Aboriginal government organizations that would be contacted in the event that such discussions need to take place.	Outstanding	
39	WMMP Updates	Response to NSMA Technical Report, section 2.3.2, PR#239	GNWT will seek NSMA's further input on ENR's proposed methods for monitoring access and harvest along the TASR as part of the review of an updated WMMP during the regulatory phase for the Project	Outstanding	
40	WMMP Updates	Response to NSMA Technical Report, section 2.4.2 and 2.5.2, PR#239	The GNWT will consider alternative proposals to the boreal caribou study area during the WMMP approval phase, but ultimately the study area will be informed by ecologically relevant population unit boundaries and the area used and movement patterns of caribou on which GPS collars have been deployed in the vicinity of the TASR. [In response to NSMA's request for a smaller study area for boreal caribou].	Outstanding	
41	WMMP Updates	Response to NSMA Technical Report, section 2.4.6 and 2.5.2, PR#239	Monitoring of wolves may be initiated as a management response if the monitoring of boreal caribou, moose or bison indicate a concern.	Outstanding	
42	WMMP Updates	Response to NSMA Technical Report, section 2.6.2, PR#239	The GNWT is willing to consider re-calculating and re-assessing the amount of continuous boreal caribou habitat within the NT1 range, prior to TASR construction.	Outstanding	
43	WMMP Updates	Response to NSMA Technical Report, section 2.98.2, PR#239	GNWT will update the sensitive period for boreal caribou calving to include the post-calving period. The new sensitive period for boreal caribou calving will be April 5 - July 15.	Outstanding	
44	WMMP Updates	Response to NSMA Technical Report, section 2.8.12, PR#239	A table summarizing specific mitigation and monitoring for bison and moose during sensitive periods will be added to the next version of the WMMP.	Outstanding	
45	WMMP Updates	Response to NSMA Technical Report, section 2.8.14, PR#239	The GNWT will change the sensitive period for bison to March 1 - July 15 in the next version of the WMMP.	Outstanding	
46	WMMP Updates	Response to NSMA Technical Report, section 2.10.2, PR#239	GNWT will ensure that, as part of the development of a wildlife collision and sightings smartphone app for use by INF, ENR and Project Co. employees that will regularly travel the TASR once operational, it includes a mechanism for reporting instances of wildlife that show signs of being stuck or having difficulty moving through snow cleared alongside of the road.	Outstanding	
47	WMMP Updates	Response to NSMA Technical Report, section 2.14.2, PR#239	The GNWT will review the suggestion that the GNWT allow for additional time above the 15 minute period (up to 2 hours) for animals to clear the area before the animals are approached in the next version of the WMMP, but qualify that the duration will be subject to review through the adaptive management process described in the WMMP.	Outstanding	
48	WMMP Updates	Response to NSMA Technical Report, section 2.15.2, PR#239	The GNWT will consider NSMA's suggestions regarding an annual audit on Project related flight paths and altitude compliance in the next version of the WMMP.	Outstanding	
49	WMMP Updates	Response to ECCC Technical Report, section 2.5.2, PR#239	The requirement for the slope of less than 70 degrees on all quarry stockpiles, overburden or exposed soil banks will be explicitly mentioned in the next version of the WMMP. Consideration can be made to flatten vertical faces according to an achievable schedule. It is currently common practice to flatten the slopes at non-continuous GNWT operations; however, this is not applicable	Outstanding	

No.	Subject	Source	Commitment - EA and Permitting Process	Status (as of 14 November 2017)	Notes
			to bedrock quarries.		
50	WMMP Updates	Response to ECCC Technical Report, section 2.6.2, PR#239	ECCC will be consulted regarding methods and reporting, should the pre-clearing survey for migratory bird nests be required.	Outstanding	
51	WMMP Updates	Response to ECCC Technical Report, section 2.6.2, PR#239	A revised version of the WMMP will be prepared for the permitting process. Parties will have the opportunity to comment on the revised WMMP during the permitting process and during a public review of the WMMP, which will be facilitated by the Department of Environment and Natural Resources.	Outstanding	
52	WMMP Updates	GNWT Technical Report Response to the NSMA, section 2.4.8, PR#239	If the proposed caribou, moose and bison monitoring indicates population level concern related to wolf predation, the GNWT will work within the co-management framework to explore and address concerns.	Outstanding	
53	WMMP Updates	GNWT Technical Report Response to the NSMA, section 2.20.2, PR#239	The methods used for pre-clearing surveys for migratory bird nests if clearing is required during the migratory bird nesting season, for bat roosts if vegetation clearing is required between spring and fall, and for carnivore dens will be added to the WMMP as they are developed, or if and when they are needed.	Outstanding	
54	WMMP Updates	GNWT Technical Report Response to the NSMA, PR#239	The WMMP describes that traffic data will be collected for the TASR, as it is for other NWT highways. The results will be included in annual GNWT highways reporting, as well as a breakdown of the monthly average traffic levels for the TASR within the WMMP report (WMMP Section 5.2.1). The GNWT will address the request to link the results also to wildlife sensitive periods for the next version of the WMMP.	Outstanding	
55	Project Design	GNWT Technical Report Response to the NSMA, PR#239	The GNWT can continue to carefully document the use of sodium chloride on Highway 3 should it approach the junction to the TASR and if it is ever used in rare instances on the TASR.	Outstanding	
56	Project Design	GNWT Technical Report Response to NRCAN, PR#239	The GNWT acknowledges NRCAN's recommendation pertaining to explosives storage (Section 2.1.1) and concurs that, at a later date, additional information will be provided to NRCAN in order to satisfy the permit requirements for explosive storage. The preferred proponent (Project Co.) will be responsible for obtaining the necessary permits associated with explosives storage.	Outstanding	
57	Project Design	GNWT Technical Report Response to NRCAN, PR#239	NRCAN's recommendation pertaining to embankment design options (Section 2.2.1) will be provided to the short-listed proponents for their information and consideration.	Outstanding	
58	Project Design	GNWT Technical Report Response to NRCAN, PR#239	NRCAN's recommendation pertaining to embankment geotextiles (Section 2.3.1) will be provided to Project Co. for their information and consideration.	Outstanding	
59	Project Design	GNWT Technical Report Response to NRCAN, PR#239	NRCAN's recommendation pertaining to pre-existing permafrost conditions on and off disturbed terrain (Section 2.4.1) will be provided to Project Co. for their information and consideration.	Outstanding	
60	Project Design	GNWT Technical Report Response to NRCAN, PR#239	NRCAN's recommendation pertaining to removal of permafrost (Section 2.5.1) will be provided to Project Co. for their information and consideration.	Outstanding	
61	Project Design	GNWT Technical Report Response to NRCAN, PR#239	NRCAN's recommendation pertaining to geotechnical conditions (Section 2.6.1) will be provided to Project Co. for their information and consideration.	Outstanding	
62	Project Design	GNWT Technical Report Response to NRCAN, PR#239	NRCAN's recommendation pertaining to borrow materials will be provided to Project Co. for their information and consideration.	Outstanding	
63	In-Field Water Analysis Monitoring Plan	Response to WRRB Technical Report, section 2.10.2, PR#239	The frequency of watercourse inspection will be defined in the next version of the In-Field Water Analysis Plan during permitting.	Outstanding	
64	In-Field Water Analysis Monitoring Plan	GNWT Technical Report Response to ECCC, PR#239	<p>The GNWT will consider the following recommendations in the next version of the In-Field Water Analysis Monitoring Plan (PR#43) and the TASR Erosion and Sediment Control Plan during the regulatory phase:</p> <ul style="list-style-type: none"> ECCC recommends that the Proponent add water quality monitoring pre- construction, during freshet and immediately after heavy rainfall events to the sampling regime for water crossings in the updated In-Field Water Analysis Monitoring Plan. Depending on the site and how vulnerable or prone to erosion the site is, ECCC recommends, that at a minimum, the Proponent complete monitoring the following freshet, summer and late fall. If there are no issues then this could revert to the general road inspections. If instability or erosion is detected, ECCC recommends that monitoring and mitigation take place again in the next year in all three seasons. This monitoring should be outlined in the updated In-Field Water Analysis Monitoring Plan. 	Outstanding	<ul style="list-style-type: none"> The In-Field Analysis Plan can be updated to indicate the management actions that would be implemented depending on the difference between the upstream and downstream turbidity levels (including immediate response triggers such as more frequent monitoring and assessment of mitigation measure). The In-Field Analysis Plan will be updated to include an appendix with the locations of the watercourse crossings and associated station numbers to be set up at the commencement of construction. The In-Field Water Analysis Plan will be updated to include one set of confirmatory TSS (during construction around immediate water crossing) to identify the ballpark relationship of TSS and turbidity at each site. Water quality grab samples upstream and downstream of the four major water crossings can be added to the In-Field Water Analysis Plan to demonstrate best water quality management practices. The Plan will be updated to include grab samples of TSS at select sites/time periods over the course of construction to ensure turbidity testing remains comparable. Baseline data will be collected upstream of the construction activity at the same time as the downstream samples to provide surety of any difference in the turbidity levels.
65	Wildlife Habitat	GNWT Technical Report Response to ECCC, PR#239	The GNWT will contact ECCC to schedule a meeting prior to the public hearing to continue the discussion of baseline monitoring of avian species at risk so that the GNWT can further understand ECCC's recommendation.	Complete, PR#260	The developer has committed to consider the collection of Avian Species at Risk baseline data prior to the commencement of construction.
66	WMMP Updates	GNWT Technical Report Response to ECCC, PR#239	The next update to the WMMP will clarify that surveillance monitoring will be expanded to include all construction areas including equipment and vehicles that have remained stationary	Outstanding	

No.	Subject	Source	Commitment - EA and Permitting Process	Status (as of 14 November 2017)	Notes
			during the spring and may provide nesting sites for birds. Any bird nests discovered as part of routine surveillance monitoring will trigger the same mitigation as bird nests discovered during pre-clearing surveys.		
67	WMMP Updates	GNWT Technical Report Response to ECCC, PR#239	The mitigation and monitoring in the Prairie Creek Wildlife Management and Monitoring Plan will be reviewed again when drafting the next version of the TASR WMMP. For example, the GNWT recommended that CZN install windrows consisting of cleared brush at the intersection between existing linear features (mainly seismic lines) and the proposed Prairie Creek road to discourage predator/harvester access along these features and to limit sightlines. The GNWT will consider the feasibility of implementing this measure where the TASR intersects with other existing linear features along the corridor, and where the TASR deviates from the alignment of the old winter road. This will be incorporated in the next version of the WMMP. The GNWT has also committed to not blocking traditional trails that interest with the road. The GNWT will have to evaluate whether there are any potential land use conflicts that would limit the implementation of this mitigation measure.	Outstanding	
68	Working Group	GNWT Response to Technical Reports, PR#239 (response to WRRB and NSMA) GNWT closing argument	The GNWT commits to establishing an overarching corridor working group that is similar to the GNWT's highly successful Inuvik Tuktoyaktuk Highway Corridor Working Group (ITHCWG) which will meet twice per year and will operate for the construction period and up to 5 years of highway operations, unless an extension is agreed to by its parties; and will provide advice on monitoring and mitigation results that will inform adaptive management. The corridor working group may also serve as a forum to exchange information with academic parties and researchers. Additional specifics pertaining to the functions and operations of the group will be laid out in the group's terms of reference which will be established when the group is formed.	Outstanding	
69	Wildlife Habitat	GNWT Response to WRRB Technical Reports, PR#239	The GNWT commits to the mitigation hierarchy described in the Adequacy Statement Response Section 2.31 as it relates to managing the impacts of this Project on wildlife and their habitat. The GNWT commits to follow the reclamation guidelines in the Northern Land Use Guidelines: Pits and Quarries, which were developed with a view to increasing the probability of re-vegetation in these areas. The GNWT commits to pursuing and supporting research that would support identification of viable offsetting projects, when and where they are appropriate. The GNWT is in the process of studying the utility, effectiveness, and legal implications of potential offsetting approaches in the context of regulatory decision making and range planning for boreal caribou and barren-ground caribou, including when and where it is appropriate and how it might be undertaken by developers. The GNWT is undertaking this work with a view to developing a policy and guidelines around the use of offsets for mitigating residual impacts from developments.	Outstanding	
70	WMMP	WLWB Preliminary Screening	The Wildlife Management and Monitoring Plan will be updated to be consistent with the proposed Wood Bison recovery strategy to the extent feasible.	Complete	
71	Wildlife Habitat	WLWB Preliminary Screening	The GNWT (via ENR) will approach the Barren Ground Caribou Technical Working Group, regarding possible approaches for monitoring wildlife harvest in relation to TASR.	Outstanding	
72	Wildlife Habitat	GNWT Technical Report Response to ECCC, PR#239	The GNWT commits to providing publicly the precise measurements and associated spatial data of the final Project footprint following construction. This information will be submitted to the Cumulative Impact Monitoring Program Inventory of Landscape Change disturbance database and to the Wek'èezhì Land and Water Board.	Outstanding	
73	WMMP	PR#99. Meeting between GNWT, ECCC, WRRB and CANNOR. 10 November 2016	Establish a wildlife effects monitoring program for boreal caribou to assess their response to construction and operation of the TASR and to assess population trend for boreal caribou in the region.	Complete	The draft WMMP was submitted on September 22, 2017 (PR#192).
74	WMMP	GNWT Response to Technical Reports, PR#239 Letter from ENR to INF (PR#225)	The Minister of Environment and Natural Resources requires the Department of Infrastructure to submit a WMMP for approval at least 60 calendar days prior to construction of the TASR. ENR will post the submitted WMMP for public review for 30 calendar days.	Outstanding	
75	Socioeconomics	Public Hearing Day 3 (PR#273) GNWT closing argument	The GNWT will consider the appointment of a community liaison officer for the duration of the project construction with whom employees can discuss workplace safety concerns.	Outstanding	
76	Socioeconomics	Public Hearing Day 3 (PR#273)	The GNWT is committed to meeting with and working with key stakeholders, including the community government of Whatì, the TCSA and the Tìchqò Government to work toward the development of an effective ground ambulance and the highway rescue response capacity.	Outstanding	
77	WMMP	Public Hearing Day 2 (PR#274) GNWT closing argument	For the purposes of this environmental assessment proceeding, the GNWT formally commits that MVEIRB may consider the draft WMMP the foundation from which the final WMMP will be built.	Complete	
78	Project Design	Public Hearing Day 1 (PR#272) GNWT closing argument	The GNWT will establish a Tìchqò road website to ensure that information about the project is also available to the public. The tracking of commitments will also be made available on this website.	Outstanding	
79	Commitments	Public Hearing Day 1	The GNWT will be responsible for fulfilling all commitments it has made. The GNWT will	Outstanding	

No.	Subject	Source	Commitment - EA and Permitting Process	Status (as of 14 November 2017)	Notes
		(PR#272) GNWT closing argument	contractually bind the contractor and sub-contractors to any relevant commitments.		
80	Fisheries Management	GNWT closing argument	The GNWT participate in preparation of the fisheries management as appropriate where invited to do so and will comply with the fisheries management plan.	Outstanding	
81	Fish Habitat	PR#190	The GNWT commits to providing final designs to DFO prior to constructing the watercourse crossings and/or where construction will take place below the Ordinary High Water Mark at crossings where there is the potential to support large-bodied fish.	Outstanding	
82	WMMP	ECCC closing argument	The WMMP will be updated to clarify that ECCC will be included in the reporting of all instances of migratory bird and avian species at risk nesting, incident and/or mortality and that ECCC be consulted regarding any additional measures and advice for migratory birds and avian species at risk.	Outstanding	

Notes:

No. = number; TG = Tłıchq Government; NSMA = North Slave Metis Alliance; ECCC = Environment and Climate Change Canada; WRRB = Wek'èezhì Renewable Resources Board; DFO = Fisheries and Oceans Canada; NRCan = Natural Resources Canada; MVEIRB = Mackenzie Valley Environmental Impact Review Board; WLWB = Wek'èezhì Land and Water Board; GNWT = Government of Northwest Territories; ENR = Environment and Natural Resources; TK = Traditional Knowledge; WMMP = Wildlife Management and Monitoring Plan; TASR = Tłıchq All-Season Road; ASR = Adequacy Statement Response; km = kilometre.

Appendix C – Updated TASR Engagement Log

Email Correspondence

2/Nov/17 WRRB Jody Pellissey to GNWT-INF Katie Rozestraten re: GNWT response to WRRB boreal caribou technical report

6/Nov/17 GNWT-INF Carmen Griffin to YKDFN Alex Power re: TASR, hearing flights and YKDFN

18/Dec/17 Fortune Rich Schryer to GNWT-INF K. Rozestraten re: signature of meeting summary

Meeting Summary

3/Nov/17 GNWT-ECCC Meeting Summary regarding collection of baseline data for avian species at risk prior to construction ([PR#260](#))

14/Nov/17 GNWT-Fortune Meeting Summary regarding TASR Technical Session Commitment 4 ([PR#171](#), [PR#238](#))

TASR Discussions in the Media

5/Dec/17 Request for Proposals released for the Tłıchǫ All Season Road <http://www.gov.nt.ca/newsroom/news/request-proposals-released-t%C5%82%C4%B1%CC%A8ch%C7%AB-all-season-road>

11/Dec/17 News/North NWT: GNWT move paves way for Tłıchǫ all-season road

27/Dec/17 CBC North (online): Gov't is downplaying proposed all-season road's impact on N.W.T. caribou, say two Indigenous groups <http://www.cbc.ca/news/canada/north/tlich-road-and-caribou-impact-1.4465891>

Katie Rozestraten

From: jpellissey@wrrb.ca
Sent: Thursday, November 2, 2017 11:17 AM
To: Katie Rozestraten
Subject: RE: TASR EA: GNWT response to WRRB boreal caribou technical report

Thanks Katie ... Simon did forward the document this morning as well.

JODY

From: Katie Rozestraten [mailto:Katie_Rozestraten@gov.nt.ca]
Sent: Thursday, November 2, 2017 11:05 AM
To: jpellissey@wrrb.ca
Subject: FW: TASR EA: GNWT response to WRRB boreal caribou technical report

Good morning Jody,

My apologies for not cc'ing you on my email yesterday evening. I thought the material would be posted to the public registry right away but I still don't see it so figured it would be prudent to send you a copy as well for your reference.

Cheers,
KR

From: Katie Rozestraten
Sent: Wednesday, November 1, 2017 5:08 PM
To: stoogood@reviewboard.ca
Cc: Darren Campbell
Subject: TASR EA: GNWT response to WRRB boreal caribou technical report

Hi there Simon,

Please find attached our response to the WRRB boreal caribou technical report for upload to the TASR public registry.

Thanks!

Mársi | Kinanāskomitin | Thank you | Merci | Hą́ | Quana | Qujannamiik | Quyanainni | Máhsi | Máhsi | Mahsi

Katie Rozestraten
Environmental Analyst
Environmental Affairs
Infrastructure
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Fax: 867-873-0283
www.gov.nt.ca

Katie Rozestraten

From: Carmen Griffin
Sent: Monday, November 6, 2017 9:34 AM
To: Alex Power
Subject: RE: TASR, hearing, flights and YKDFN

Hi Alex,

That is okay; thank you for getting back to me.

I will put you down for two seats, all three days correct? Can you please advise me when you know the name of the community member that will be attending with you? I will then add them to the manifest.

Thank you!

From: Alex Power [<mailto:apower@ykdene.com>]
Sent: Monday, November 06, 2017 9:29 AM
To: Carmen Griffin
Subject: RE: TASR, hearing, flights and YKDFN

Hi Carmen,

Sorry for the delay on this, it fell off my desk. Am I good for two passenger, myself and a community member?

From: Carmen Griffin [mailto:Carmen_Griffin@gov.nt.ca]
Sent: Tuesday, October 31, 2017 2:06 PM
To: Alex Power <apower@ykdene.com>
Subject: RE: TASR, hearing, flights and YKDFN

Hi Alex,

I hope this email finds you well.

Were you able to sort out accommodation for the TASR Public Hearing? I wanted to confirm that you will be require transportation to Whati.

Thank you,
Carmen

From: Alex Power [<mailto:apower@ykdene.com>]
Sent: Wednesday, September 06, 2017 3:05 PM
To: Carmen Griffin
Subject: RE: TASR, hearing, flights and YKDFN

Thanks Carmen,

I just have to sort out accommodations before determining if I will be attending.

From: Carmen Griffin [mailto:Carmen_Griffin@gov.nt.ca]
Sent: Tuesday, September 5, 2017 8:38 AM

To: Alex Power <apower@ykdene.com>
Subject: RE: TASR, hearing, flights and YKDFN

Hi Alex,

I hope you had a wonderful weekend.
Send me the list of passengers that will be travelling up to Whati for the Public Hearing when you have a chance and I will add them to the manifest.

Thank you,
Carmen

From: Simon Toogood [<mailto:stoogood@reviewboard.ca>]
Sent: Friday, September 01, 2017 3:41 PM
To: Carmen Griffin; Alex Power
Subject: RE: TASR, hearing, flights and YKDFN

Hello Alex and Carmen,

I will leave it to the two of you to organize flights to Whati.

Cheers

From: Stu Niven [mailto:Stu_Niven@gov.nt.ca]
Sent: September-01-17 3:23 PM
To: Simon Toogood; Carmen Griffin
Subject: RE: TASR, hearing, YKDFN

Hi Simon,

Our intention is to offer space to the YKDFN for the public hearing. I leave it to you and Carmen as to the logistics around that.

Mársi | Kinanāskomitin | Thank you | Merci | Haj' | Quana | Qujannamiik | Quyanainni | Máhsi | Máhsi | Mahsi

Stu Niven

Manager – Environmental Affairs
Department of Infrastructure
Government of Northwest Territories
(867) 767-9083, extension 31051
5015 - 49th Street, Yellowknife X1A 2L9
Email: Stu_Niven@gov.nt.ca

From: Simon Toogood [<mailto:stoogood@reviewboard.ca>]
Sent: Friday, September 01, 2017 3:10 PM
To: Stu Niven
Subject: TASR, hearing, YKDFN

Hello Stu,

The YKDFN would like to participate in the hearing. The barrier is the cost of getting there. In order to submit a technical report the party must attend the hearing to allow other parties the opportunity to question them. This leaves

the YKDFN out of the process unless they can find a way to Whati. Are you able to provide any comment on a seat on plane for a YKDFN rep?

Cheers

Katie Rozestraten

From: Katie Rozestraten
Sent: Wednesday, January 10, 2018 3:15 PM
To: 'Rick Schryer'
Subject: RE: TASR EA: Fortune-GNWT meeting summary review

Thanks Rick!

From: Rick Schryer [<mailto:rschryer@fortuneminerals.com>]
Sent: Monday, December 18, 2017 7:24 AM
To: Katie Rozestraten
Subject: RE: TASR EA: Fortune-GNWT meeting summary review

Document looks fine. I have signed it.

Let me know if you need anything else.

Rick

From: Katie Rozestraten [mailto:Katie_Rozestraten@gov.nt.ca]
Sent: Friday, December 15, 2017 2:25 PM
To: Rick Schryer
Subject: TASR EA: Fortune-GNWT meeting summary review

Hey there Rick,

Please find attached a copy of the meeting summary that took place between Fortune and GNWT on November 14. Please let me know if you have any comments, concerns or edits to the attached document by January 3. We will be attaching this document to our closing arguments later in January as a part of our engagement log update.

Thanks! Hope you have a happy holidays!

Mársı | Kinanāskomitin | Thank you | Merci | Hąj' | Quana | Qujannamiik | Quyanainni | Máhsı | Máhsı | Mahsi

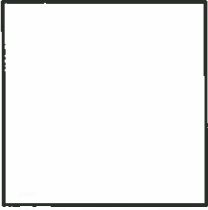
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Rick Schryer
VP Environmental & Regulatory Affairs
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Fax London 519-858-8155 • Saskatoon 306-477-2114
<http://www.fortuneminerals.com>

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Meeting Report

Main Issue:

The purpose of the meeting was in regards to Technical Session Commitment 4, (PR#171, PR#238):

GNWT commits to sharing its cumulative effects monitoring and adaptive mitigation protocols for TASR with Fortune Minerals, and collaborate with Fortune for opportunities to share boreal and barren-ground caribou monitoring and mitigation.

Attendees:

- | | |
|---|--|
| (1) Rick Schryer, Fortune Minerals Ltd. | (6) Darren Campbell, GNWT |
| (2) Glen Koropchuk, Fortune Minerals Ltd. | (7) Andrea Patenaude, GNWT |
| (3) Katie Rozestraten, GNWT | (8) Damian Panayi, Golder Associates Ltd. |
| (4) Laurie McGregor, GNWT | (9) Michele Grabke, Golder Associates Ltd. |
| (5) James Hodson, GNWT | |

Meeting date: November 14, 2017

Summary of discussion:

At the TASR Technical Session in Behchoko, the GNWT committed to sharing its cumulative effects monitoring and adaptive mitigation protocols for TASR with Fortune Minerals, and collaborate with Fortune for opportunities to share boreal and barren-ground caribou monitoring and mitigations (PR#171, PR#238).

GNWT, Fortune Minerals and Golder Associates discussed this commitment, the wildlife and access monitoring currently proposed for the TASR and the Fortune Minerals NICO Project, and opportunities for collaboration.

Fortune Minerals clarified that the NICO Project Access Road will be a private road on Tlicho lands, that an access agreement from the Tlicho Government will be required, and that any monitoring would require the agreement of the Tlicho Government.

GNWT commitment(s):

1. In the next revision of the TASR Wildlife Management and Monitoring Plan, the GNWT commits to considering opportunities for collaboration and data sharing with the Fortune Minerals NICO Project.

Fortune Minerals commitment(s):

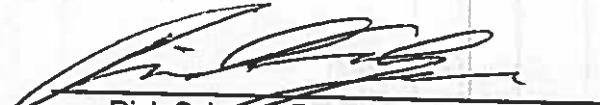
1. Fortune Minerals commits to sharing wildlife monitoring data with the Tlicho Government and GNWT, and considering opportunities for collaborative monitoring at the proposed NICO Project.
2. In coordination with the Tlicho Government and the GNWT, Fortune Minerals commits to collaborative monitoring of harvesting and access on the proposed NICO Project Access Road.

Outstanding issue(s) for the party:
None

Action Items:

None required until land use permit applications are submitted for the TASR and the NICO Project, at which point these commitments should be incorporated in to the respective wildlife monitoring plans

Signature of Fortune Minerals representative:


Rick Schryer, Fortune Minerals Ltd.

Dec. 18/2017
Date

Signature of developer representative:


Katie Rozestraten, GNWT

Jan 2, 2018
Date



Français

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Spotlights

Request for Proposals released for the Tłıchq All Season Road

YELLOWKNIFE (December 5, 2017) – The Government of the Northwest Territories has issued its Request for Proposals (RFP) for the construction of the Tłıchq All-Season Road (TASR). Three proponents identified through a Request for Qualifications will be invited to submit proposals: Aurora Access Partners, NAE Transportation Partners and North Star Infrastructure.

Proponents may access the RFP by visiting the GNWT's Contract Event Opportunities website at: <http://contracts.fin.gov.nt.ca>

Technical submissions for the RFP are due on August 9, 2018, and financial submissions are due on August 29, 2018.

The TASR project is currently undergoing an environmental assessment by the Mackenzie Valley Environmental Impact Review Board. This regulatory process will ensure the project is undertaken in an environmentally, socially, and culturally sound manner. The RFP is being released at this time in alignment with the environmental regulatory schedule and to provide the time required for the three proponents to prepare the RFP documents.

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Government of Northwest Territories

NEWS Briefs

Game catches on with youth

Sachs Harbour

The Christmas bobble game was brought to Sachs Harbour for an adults' night presented by the Inuvialuit Regional Corporation, recreation coordinator Doreen Carpenter reports.

"The kids wanted to try it," she said, adding that ever since then it's become a mainstay for Christmas games among the youth.

The game challenges youth to wear a blindfold and attempt to spoon pom-poms into a bowl, and whoever spoons the most in a minute wins.

Most of the town's children came out for a night of those games and many more as part of the month of Christmas activities in Sachs Harbour last weekend.

"It went really well," said Carpenter about the event. "The staff handled everything well and they did a really good job."

This weekend, the Sachs Harbour District Education Authority has sponsored a gingerbread bake in the community.

— Stewart Burnett

RCMP to focus on impaired driving

Hay River

The RCMP's Traffic Services, along with detachments throughout the NWT, launched their Christmastime traffic enforcement patrols and check stops on Dec. 1.

The annual campaign – called Operation Gingerbread – targets impaired driving and will run to Jan. 1.

The RCMP will also check drivers operating off-road vehicles, such as snowmobiles and ATVs, as impaired driving is not only limited to the operation of motor vehicles on roadways.

During last year's Operation Gingerbread, 22 motorists were charged with impaired driving in the NWT after the RCMP checked almost 1,500 vehicles.

— Paul Bickford

GNWT move paves way for Tlicho all-season road

Whati/Lac La Martre

A planned all-season corridor in Tlicho has cleared another checkpoint in its road to becoming a reality.

The GNWT has released proposal requests for the construction of the Tlicho All-Season Road (TASR), the would-be thoroughfare that's poised to provide all-weather access from Highway 3, west of Yellowknife, to the community of Whati.

Through a "request for qualifications," the GNWT has identified and invited three potential bidders – Aurora Access Partners, NAE Transportation Partners and North Star Infrastructure – to submit proposals for the road's construction, according to a statement released by the territorial government Wednesday.

By working with the Tlicho government to replace the southern part of the existing winter road, the GNWT says it hopes to connect remote Northern communities in a bid to establish reliable access that will bring down transportation and living costs and spur economic growth.

The TSR project is currently in the midst of an environmental review process, carried out by the Mackenzie Valley Environmental Impact Review Board.

Technical and financial submissions are due on Aug. 9 and Aug. 29, 2018, respectively.

— Brendan Burke

Voices heard in fishing ban

'We're just not the little kid up here that the federal government's babysitting' – Wally Schumann

by Kirsten Fenn
Northern News Service
NWT

The vice-president of the Inuit Circumpolar Council Canada – who is also an NWT MLA – is hailing a ban on unregulated commercial fishing in the High Arctic as an example of the leadership role Indigenous people must take in climate negotiations.

Nunakput MLA Herb Nakimayak said he was the sole Indigenous person representing Inuit at the negotiating table for the agreement, in his role as vice-president of the Inuit Circumpolar Council Canada.

He said the "first-of-its-kind" agreement demonstrates inclusion of Indigenous people – not just in Canada, but around the world.

In his role, he met with Indigenous people to gauge their thoughts on how the agreement might work with different governments, and to bring those ideas to the table.

"Since it's right in our backyard, it's important for Inuit and Indigenous people to be involved in the decision-making process as well as including Indigenous local knowledge," said Nakimayak. "These negotiations are meant to prevent any more unregulated, unreported fishing since there's no conservation measures put in place."

However, the GNWT is not as pleased with how the decision-making process played out.

"It all rolls back to the premier and his red alert about the federal government making decisions without getting input from the Government of the Northwest Territories," said

Industry Minister Wally Schumann. "It's unregulated international waters, but I think it's alarming again how the federal government's gone ahead and done something like this without talking to us."

On Nov. 30, Canada, the European Union and eight other jurisdictions reached an agreement to prevent unregulated commercial fishing in the high seas of the central Arctic Ocean.

The ban will last at least 16 years, allowing experts to gather better science on Arctic waters before any fishing can take place, stated information from Fisheries and Oceans Canada.

No commercial fishing

There is currently no commercial fishing in those high seas and the ban will not affect any local Canadian fisheries.

Schumann agreed the ban is the right thing to do, but stressed the GNWT would have liked to be included in the decision-making.

"We're just not the little kid up here that the federal government's babysitting," the minister said.

Given the longer open season in the Northwest Passage, the ban is good news to Paulatuk mayor Ray Ruben Sr.

"We've heard of countries like China and Korea and others that are looking for major fishery areas," he said. "That will affect, through the food chain, the coastal species. We have our char that rely on food sources out there, the beluga and the seals, everything that depends on what happens out in the Beaufort."

While Ruben Sr. said people from his community



Geneva Noble dissects an Arctic Char. The federal government announced on Nov. 30 an international agreement was reached to ban unregulated commercial fishing in the high seas of the central Arctic Ocean.

weren't directly consulted on the ban, he's in favour until more regulations exist.

Nakimayak described the high seas of the central Arctic Ocean as approximately 322 kilometres offshore.

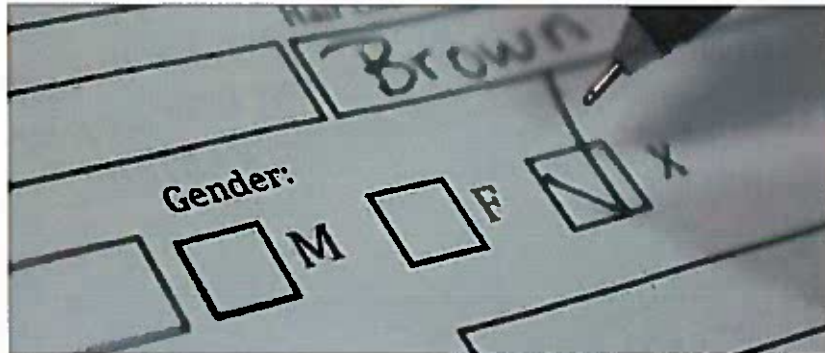
It includes waters off the coast of Canada, the United States, Russia, Norway and Denmark – with respect to Greenland and the Faroe Islands. These are international waters outside any country's exclusive economic zone, stated Fisheries and Oceans spokesperson Carole Saindon in an email.

With the melting polar ice cap, Arctic waters are vulnerable to fishing by other countries without the ban in place, said Nakimayak.

He stressed the need for Indigenous voices to be included in any process affecting their climate and livelihood – right from the very beginning.

Schumann said he believes Nakimayak has done "the right thing" representing the Inuit Circumpolar Council Canada in the negotiations.

"But our point is, as the Government of the Northwest Territories... we need to be at the table or at least be informed of what's going on," he said.



NWT residents can now select "X" as their gender on driver's licences and identification cards.

To make this change, fill out an application or renewal form and visit your local DMV office.

Government of Northwest Territories

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For more information, visit www.nwtprp.org or call (867) 669-8375



Gov't is downplaying proposed all-season road's impact on N.W.T. caribou, say two Indigenous groups

North Slave Métis and Yellowknives Dene say Government of the Northwest Territories minimizing possible harm

[CBC News](#) Posted: Dec 27, 2017 6:58 PM CT Last Updated: Dec 27, 2017 6:58 PM CT

The North Slave Métis Alliance (NSMA) and the Yellowknives Dene say the Government of the Northwest Territories is minimizing the impact its proposed Tlicho all-season road will have on the caribou population in the region.

The government wants to build a 97-kilometre all-season road from Highway 3 to the small Tlicho fly-in community of Whati, approximately 160 kilometres northwest of Yellowknife. The road would cut through the range of the boreal caribou herd, [a species in decline](#).

- [All-season road to Whati, N.W.T., gets federal gov't funding](#)

In documents submitted to the Mackenzie Valley Land and Water Board, neither Indigenous group calls for the wholesale rejection of the road.

But both say the board should recognize the project could seriously impact the herd's health: the NSMA wants a full-scale impact mitigation plan to be a condition of approving road construction, and the Yellowknives Dene want more rigorous hunting regulations.

The boreal caribou are a species listed as threatened, or likely to become extinct, unless steps are taken to reverse its decline. The Yellowknives Dene say the government is pushing ahead with the project without knowing how many boreal caribou remain in the N.W.T., and without knowing whether their population is increasing or decreasing.

- [N.W.T. adds 4 species to at-risk list](#)

The North Slave Métis, along with the Yellowknives Dene, say the territorial government is using an extremely large study area — 44 million hectares — to minimize the impact the road will have on caribou habitat. In the context of that area, the government calculates 65 per cent of the boreal caribou's N.W.T. range will remain undisturbed — the minimum scientists say is needed to support a healthy population of boreal caribou.

But in a document filed with the board, the North Slave Métis say using a habitat area that size diminishes "more relevant and localized regional impacts" of the road.

The North Slave Métis say the end effect of this is that "the GNWT's refusal to consider more localized impacts to boreal caribou" threatens their ability to harvest caribou "where they hold Aboriginal right to do so," particularly in southern portions of the range.

- [Is it time to start protecting caribou habitat from forest fires? N.W.T. Métis leader says yes](#)

The environmental assessment of the road is almost complete. All that remains is for the Government of the Northwest Territories to make its final comments, due Jan. 19, 2018.

With files from Richard Gleeson

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5 Comments

Commenting is now closed for this story.

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Miles Hawkeye

I totally disagree with the term "harvest". Harvest implies one has actually done some work to plant/grow/raise food, not just go out and shoot it anytime you want. How many Caribou would be left if all us Canadians were FN.

4 days ago

2 3 Share



Awistoyus Nahesthay

@Miles Hawkeye

Not really clear on the whole concept, are you?

4 days ago

2 0 Share



Don LaBrech

First Nations have been demanding all weather roads to Northern communities for decades. Now that government has the funding and are ready to proceed, now it's going to be a threat to the caribou, sounds more like a threat to aboriginal harvesting rights, give me a break.

4 days ago

1 1 Share



Daniel Rawlins

If these caribou are declining in number now before the road is built, what is the cause of this pre-all-season road decline? Just because the road is built doesn't mean it has to be driven over. There is about 500 people living in Whati, the road is a mere 97 km long if the effect on caribou is of paramount concern then simply restrict the road to freight and emergency use only (though we all know that will never happen).

5 days ago

2 1 Share



John Smith

The Caribou will cross the road just like the Bison do. This sounds like a ploy for some financial compensation.

5 days ago

4 2 Share