

August 19, 2022

Diane Archie
Minister, Department of Infrastructure
Box 1320
5015 – 44th Street
Yellowknife NT, X1A 2L9

via email: Diane_Archie@gov.nt.ca

Re: Excluding social issues from the Tłı̄chq Highway Corridor Working Group

Dear Minister Archie,

On June 17, 2022, the Wek'èezhì Renewable Resources Board (WRRB) wrote to the Review Board to express its concerns about the exclusion of topics and limiting of subjects for discussion at the June 13, 2022 Corridor Working Group meeting in Whatì, chaired by the GNWT Department of Infrastructure.¹ The meeting was attended by staff from Tlı̄cho Government, Community of Whatì, the WRRB, federal and territorial government representatives and other participants, including Review Board staff.

The WRRB letter expresses alarm that during the meeting, GNWT Infrastructure told the WRRB that the Corridor Working Group would not entertain topics unless they were specifically on the agenda, including topics that may affect a private contract that the Department of Infrastructure holds to maintain the Tłı̄chq Highway. The WRRB expressed alarm with this approach, noting that discussion should not be limited to items on a set agenda. The WRRB noted that this approach is “contrary to the requirements and intent of the CWG, outlined in the Report of Environmental Assessment...” (p. 1). The purpose of the Corridor Working Group is for broad discussion of impacts, mitigation, and adaptive management of the impacts of the Tłı̄chq Highway on the environment and people.

¹ [Letter WRRB to MVEIRB re concerns with Tlı̄cho Highway CWG](#)

Measure 14-3 includes impacts on people

The Review Board issued its Report of Environmental Assessment for the construction and operation of Tłıchq All-Season Road (now called the Tłıchq Highway) in 2018. In it, the Review Board predicted that the Tłıchq Highway would have a short-term significant adverse impact on community well-being, particularly during the construction and initial operation period of the road unless additional mitigation occurs. The Review Board nonetheless decided to recommend that the project could proceed, provided that specific measures are followed to mitigate the predicted significant impacts. Measure 14-3 in the Report of Environmental Assessment set out a requirement for the Corridor Working Group to impacts on the environment and people so that the impacts would no longer be significant.²

The preamble to the measure 14-3 is explicit that the Corridor Working Group is intended to be a forum for discussion about impacts from the new highway on both the environment and people. It states “To mitigate significant adverse impacts from the Project to the environment **and people** [*emphasis added*], the developer will implement the TASR Corridor Working Group...”. The measure is approved and legally binding.

Corridor Working Group should not exclude social issues

The Corridor Working Group was a key mitigation measure particularly for the early operation phase because that was the time predicted to have the greatest period of social adjustment for the community of Whatì. The Corridor Working Group is meant to provide a forum to discuss a wide variety of topics including monitoring, mitigation, and adaptive management to help the project proponent improve its management of the new highway, to adaptively reduce or avoid impacts on the environment and people that would otherwise be likely.

The Review Board relies on the Corridor Working Group as part of a suite of mitigations to address short-term well-being and socio-economic impacts that would otherwise be significant. The Review Board agrees with the concerns expressed by the WRRB that the Corridor Working Group meetings should not be narrowly constrained by the agenda for each meeting, particularly in Whatì where it is a community meeting. If working group participants ask to discuss topics such as their observations of social issues resulting from the road or emergency considerations along the route, the Corridor Working Group should discuss them. In this way,

² [Report of Environmental Assessment and Reasons for Decision pp 380-381](#)

the Corridor Working Group can serve as a feedback mechanism so that impacts of the highway can be better identified and adaptively managed. The measure also requires the developer to invite Elders to participate in the Corridor Working Group. This clearly implies that Indigenous Traditional Knowledge must not be excluded from its discussions.

On a related matter, the Review Board observes that the Terms of Reference for the Corridor Working Group currently states that a key area of interest of the Corridor Working Group is “Environmental Assessment commitments and measures (**other than socio-eco**) [*sic; emphasis added*]”.³ The exclusion of socio-economic matters appears to conflict directly with the above stated intention of Measure 14-3. The Review Board respectfully suggests that the Terms of Reference should be corrected to reflect the legal requirements of the working group.

The Review Board appreciates the GNWT’s efforts to implement the Corridor Working Group and looks forward to participating in the meetings during the early operations phase of the Tłjchq Highway.

Sincerely,



JoAnne Deneron
Chairperson
Mackenzie Valley Review Board

- c. Cameron Wilson, North Slave Regional Office, Infrastructure
Jody Pellissey, Wek’èezhì Renewable Resources Board
Tammy Steinwand, Tłjchq Government
Lorraine Seale, GNWT Lands

³ [See Tłjchq All Season Road Corridor Working Group Terms of Reference pdf p13](#)