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Manager, Project Monitoring  
Nunavut Impact Review Board  
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SEP 12 2017

Dear Ms. Gillard:

**The Government of the Northwest Territories Submission on the Notice of Screening for the Kitikmeot Inuit Association and the Government of Nunavut's Grays Bay Road and Port project proposal (NIRB file number 17XN011)**

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Thank you for your letter dated August 22, 2017 requesting comments regarding the screening of the Kitikmeot Inuit Association (KIA) and the Government of Nunavut's (GN) Grays Bay Road and Port (GBRP) project proposal.

Government of the Northwest Territories (GNWT) with responsibilities related to the project have reviewed the materials circulated by the Nunavut Impact Review Board (NIRB) and have identified the following areas of interest:

- Wildlife and their habitat;
- Traditional uses of land;
- Human health Issues;
- Aboriginal harvesting activities;
- Trans-boundary impacts; and
- Socio-economic considerations

Specific comments are provided below.

**Wildlife:**

As a primary authority for wildlife conservation and management in the Northwest Territories (NWT), GNWT is responsible for working with other jurisdictions to ensure that trans-boundary wildlife populations harvested in the NWT are managed in a way that supports their sustainable use by current and future generations. As part of this responsibility, the GNWT collaborates with regulators and stakeholders in Nunavut on wildlife management issues of shared importance.

While recognizing the potential benefits of the proposed road to Inuit communities, Nunavut and even the NWT, the GNWT has concerns about potential adverse impacts of the project on populations and habitat of trans-boundary wildlife species. In particular, the GNWT is concerned about the potential adverse impacts of the project on caribou, including barren-ground caribou (Bathurst herd) and Dolphin-Union caribou, both trans-boundary herds of great significance to Aboriginal communities in the NWT. Of greatest concern is that the proposed road would cut through the western portion of the Bathurst caribou herd's calving ground, as used consistently since 1996. This herd has declined by 96% from an estimated peak in 1986 of 470,000 to an estimated 20,000 in 2015, with a declining trend. The decline has resulted in very difficult management decisions, including closure of all harvest, including Aboriginal harvest, in the NWT, and restriction of Aboriginal harvest in Nunavut to 30 males. A feasibility assessment is underway in the NWT to consider wolf reduction in this herd's range. Calving grounds are widely considered, both from a scientific and a Traditional Knowledge perspective, as the most sensitive habitat for migratory barren-ground caribou herds. Cows with young calves are considered to be the most sensitive of caribou sex and age classes to disturbance. Calving grounds are special areas that cows migrate to annually, where a combination of limited predator numbers and suitable feeding conditions occurs that is favourable to cows giving birth. Any factors that impede recovery of the herd, even small-scale disturbances that reduce calf survival, can affect Inuit and other Aboriginal people's ability to harvest this herd.

Barren-ground caribou and Dolphin-Union caribou are important at a territorial and national level. Dolphin Union caribou are currently listed in territorial and federal legislation as being of Special Concern. The GNWT is currently cooperatively involved in management planning with the Government of Nunavut and Environment and Climate Change Canada; this work should be considered in any assessment of the proposed road. In 2016, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) assessed barren-ground caribou in northern Canada as Threatened, and the NWT Species at Risk Committee similarly assessed barren-ground caribou in the NWT as Threatened. Under federal Species at Risk legislation, a recovery strategy will be required if this species is listed and identification and protection of critical habitat will be a required component of such a plan. For migratory barren-ground caribou herds, the calving grounds would likely be considered critical habitats. Given the regional and national interest in this species, calving grounds need to be given special consideration assessing the proposed project.

The GNWT notes that the proponents have identified impacts on caribou as a key consideration in understanding the impacts of the project (e.g. Project Proposal Section 1.1.2: Factors to Assess the Significance of Effects, Section 7.4.3: Potential

Changes to Wildlife and Wildlife Habitat, Section 9.2: Cumulative Effects Assessment).

**Socio-economic considerations:**

The GNWT notes that the proponents have identified the potential for the project to have socio-economic impacts and benefits in the NWT. Some key statements in the Project Proposal include:

- The main assessment area for economic and infrastructure, services and well-being effects encompasses the Kitikmeot communities and Yellowknife, but also considers the broader potential socio-economic effects on Nunavut and the Northwest Territories (Section 8.1: Introduction to Potential Effects on the Socio-economic Environment).
- Potential trans-boundary effects include (Section 9.2.3.6: Trans-boundary Effects):
  - effects and cumulative effects on health and well-being of residents of NWT communities who may be employed during the construction of the Project
  - increased economic and employment opportunities associated with sourcing and movement of materials, fuel, labour and supplies from Northwest Territories
  - economic (business) relationships and use of public services in and from Northwest Territories during construction
  - effects to traditional land use by traditional land users who practice traditional activities on both sides of the Nunavut-Northwest Territories border

The GNWT notes that the proposed project could present positive economic development opportunities for both Nunavut and NWT residents. Subject to appropriate mitigations, the GNWT is supportive of projects led by Northerners that seek to ensure direct benefits to Northern residents.

The GNWT is interested in understanding the potential socio-economic impacts and related cumulative effects of the project on the well-being of NWT residents, as well as on the delivery of healthcare to NWT and Kitikmeot region residents. At this time, the GNWT does not have detailed comments.

**Other:**

The GNWT notes the proponents' statements in the Project Proposal that the project will include use of the Tibbitt-Contwoyto Winter Road in the NWT, particularly during construction. At this time, GNWT does not have further comments.

### **Suggestions and Recommendations:**

The GNWT notes the following statement in the proponents' Project Proposal (Section 1.4: Position of the Proponents on the Future Review of the Proposal):

Having regard for the scale of the project and the sensitivity of wildlife in the area, the proponents jointly accept the need to subject this project to an environmental assessment. As described in the Nunavut Agreement, this could proceed as a review led by the NIRB (Part 5) or a panel review (Part 6)...Throughout this project proposal, we have presented information that is based on the assumption of the project being subject to a Part 5 review...We believe that an environmental review will ensure appropriate consideration of potential effects and the development of the best overall design and operation of the GBRP Project. We also support an environmental review as a credible way to promote meaningful opportunities for public input and community consultation within both Nunavut and the Northwest Territories.

The GNWT agrees with the proponents (i.e., the Government of Nunavut and the Kitikmeot Inuit Association) that further environmental review could add value to this project. The GNWT notes that recent reviews under Article 12, Part 5 of the Nunavut Comprehensive Land Claim Agreement (NCLCA) of projects in the West Kitikmeot have included consideration of trans-boundary concerns.

Given the potential of the proposed road to impact one of the most important wildlife populations in the NWT, the GNWT recommends that any review have particular focus on trans-boundary and cumulative impacts to wildlife, wildlife habitat, and traditional use of wildlife populations. In particular, very careful consideration needs to be given to how potential impacts to calving grounds, cows and calves can be avoided. The GNWT notes that the project description does not provide sufficient detail and consideration of how adverse impacts to caribou will be avoided, managed and monitored. While the project description refers to mitigations that "may" be used during sensitive wildlife periods, the GNWT believes that a full-scale review is necessary to help flesh out approaches to mitigation and monitoring and to investigate the extent to which proposed impacts can sufficiently avoid, minimize, and detect project impacts.

Given the importance of caribou to Aboriginal people in the NWT and the level of public concern that this proposed project is likely to generate, the GNWT recommends that the federal government provide participant funding for this review for parties in Nunavut and in the NWT. The GNWT sees participant funding as an important way of helping to ensure that northerners have meaningful

opportunities to participate in the assessment of potential benefits and risks associated with development proposals.

The GNWT departments will participate in any environmental review of the project in accordance with their mandates and jurisdiction.

**Closing Comments:**

As stated in the GNWT's January 13, 2017 review of the 2016 draft Nunavut Land Use Plan (DNLUP), filed with the Nunavut Planning Commission, the GNWT recognizes the potential trans-boundary economic benefits associated with linear infrastructure corridors such as the Grays Bay Road and Port, and the GNWT supports strategic infrastructure developments such as the GBRP. As further stated in the January 2017 review, the GNWT has been working collaboratively since 2014 with Nunavut stakeholders and other affected parties on the Bathurst Caribou Range Plan and will continue to engage with Nunavut partners on options to maintain the integrity of the Bathurst core calving area.

Should NIRB or any participants have any questions about this submission, please contact Arusa Shafi, Project Assessment Analyst by email at [Arusa Shafi@gov.nt.ca](mailto:Arusa.Shafi@gov.nt.ca) or by phone at 867-767-9180 (Ext. 24023).

Sincerely,



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Securities and Project Assessment  
Department of Lands  
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