

# MACKENZIE VALLEY HIGHWAY

## Technical Session

**November 19, 2024**

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Project Description  
Caribou and Moose  
Other Wildlife  
Species at Risk

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Hosted by  
Mackenzie Valley Environmental Impact Review Board

Tree of Peace  
Yellowknife, Northwest Territories

1 ALAN EHRLICH: Good morning, everybody. I'd like to welcome  
2 you all to the technical sessions. Let's try it again, without the high  
3 pitched whine.

09:05AM

4 Good morning, everyone. I'd like to welcome you all to the  
5 technical sessions for the environmental assessment of the GNWT's  
6 proposed Mackenzie Valley Highway. It's a big crowd. Our technical  
7 sessions are usually a little more smaller, a little more intimate.

09:06AM

8 We want to start the day off in the right way. First, I want to have  
9 an acknowledgement that we're in Chief Drygeese territory, the home of  
10 the Yellowknives Dene First Nation. Also, the home of Treaty 8, and  
11 the more recent home of the NSMA, and we're in Monfwi Deh Gáh  
12 Got'îê.

09:06AM

13 Rather than just list the groups, I also want to personally  
14 acknowledge that the Review Board recognizes that, you know, white  
15 settlers took a lot of things and did a lot of harm here, and some of  
16 those harms continue today, and reconciliation is one of the ways that  
17 we're trying to make things better and co-management, which came out  
18 of the land claims, is one of the ways that we're trying to make  
19 decisions better in the ways that Indigenous groups said they want  
20 decisions made here that is in some ways different from other parts of  
21 Canada. And so I just want to bear that in mind, you know sort of what  
22 we're doing today is not disconnected from the land acknowledgement.  
23 It's part of trying to recognize that and work towards a better future.

09:06AM

24 So with that, I'd like to call on the Yellowknives -- the YKDFN  
25 drummers to start us off right. Thank you.

09:07AM

26 - PRAYER -

27 ALAN EHRLICH: I'd like to recognize and thank the sound guy for

1 taking care of that high pitch whine. And I'd like to recognize and  
2 thank Tim Lennie for the opening prayer, as well as the powerful  
3 drumming from the YKDFN.

09:17AM

4 Before we go on to introductions, I'll introduce myself. My name  
5 is Alan Ehrlich. I am the manager of environmental assessment at the  
6 Mackenzie Valley Review Board. Actually we'll do introduction by  
7 organization by organization, and then we'll go into some opening  
8 comments before we get into the useful technical discussions. So,  
9 okay.

09:18AM

10 So my name is Alan. There are other members of the  
11 Mackenzie Valley Environmental Impact Review Board here. I'll make it  
12 clear that every person from the Review Board who is in the room here  
13 is staff. We're not board members. This is not a hearing. We are not  
14 the ones who decide. We provide support to them. And so, normally,  
15 our technical sessions have a very different demeanour from hearings  
16 because they're less formal, they're more constructive discussion, and  
17 I'll talk more about how that has worked in the past and how we hope it  
18 will work for this.

09:18AM

19 For the Review Board, I'm just going to name everyone to save  
20 time instead of passing the microphone back and forth. My executive  
21 director, Mark Cliffe-Phillips, is to my right. To my left is the senior  
22 environmental assessment advisor and project lead for this  
23 environmental assessment, Catherine Fairbairn. Clémentine Bouche is  
24 the primary supporting environmental assessment advisor for this  
25 assessment. John Nishi is a consultant from Eco Borealis, who is an  
26 ungulate specialist, who we've retained for this environmental  
27 assessment. Chuck Hubert is a senior environmental advisor. Malorey

09:19AM

09:20AM

1 Nirlungayuk is an environmental assessment adviser. And Simon  
2 Toogood is a senior environmental assessment advisor. And so Tanya  
3 Lantz, over at the door, is our manager of engagement, partnership --  
4 and I always get this part wrong. Yes, that's it, manager of Indigenous  
5 engagement, partnership, and outreach but we always call it  
6 engagement for short and so it's hard to remember the whole thing.  
7 And Donna Shear is one of our engagement specialists, although I'm  
8 going to bet the title is actually longer likely, and I forgot. Okay, I think I  
9 have got the whole Review Board side. Now I would like to turn it over  
10 to Seth Bohnet from the GNWT so he can run through the small army  
11 of experts that are here to help us today.

09:20AM

12 SETH BOHNET: Thank you very much and echo your  
13 sentiments. Thanks everybody for coming and thank you to the YKDFN  
14 Drummers and for Tim for the opening drumming and prayer.

09:21AM

15 For those that don't know me, my name is Seth Bohnet, and I am  
16 the director of strategic infrastructure for GNWT's Department of  
17 Infrastructure. I'm here today, I oversee the environmental affairs team  
18 that is leading the Mackenzie Valley Highway Project through the  
19 environmental and regulatory phases. With me today is Patricia Coyne,  
20 the manager of the environmental affairs team. I'll do the GNWT folks  
21 first.

09:21AM

22 Behind us we have Kelly Bourassa. He is a senior environmental  
23 analysts on the project. We've got Zianr Rahman who is one of our  
24 geotechnical managers. Did I get that right? Design and construction  
25 manager, apologies. From the Department of Justice, we've got Julia  
26 Paille; Nancy from the Department of Environment and Climate  
27 Change; James, environment and climate change; Alison from

09:21AM

09:22AM

1 environment and climate change project assessment branch. And then  
2 at the back of the room, we've also got some folks from health and  
3 social services. We've got Zoe, Melissa. And then we've also got our  
4 consultants with us here today. So from Kalo Stantec, we've got Erica  
5 Bonhomme, Walter Orr behind me. And, Gavin Howe. I hope I've  
6 pronounced that right; I apologize again. And then we've also from  
7 DPRA at the back there, we've got Timm Rochon. We have several  
8 folks joining us virtually as well and, as and when necessary, we'll  
9 introduce them.

09:23AM

10 ALAN EHRLICH: Thank you. Can I now ask PKFN, Pehdzeh Ki  
11 First Nation, if you would be so kind as to introduce the folks that you've  
12 brought to the room.

09:23AM

13 SHARON PELISSEY: Good morning, everyone. It's good to be here  
14 and see everyone. My name is Sharon Pelissey. I'm a lands director  
15 for Pehdzeh Ki First Nations, and I -- should we just introduce  
16 themselves -- or yeah, I'll just quickly.

09:24AM

17 On my right here is Jane Henderson, our legal advisor. And  
18 sitting behind her, that's Chief Jamie Moses. Next to Chief is Jason  
19 Horesay, councillor. Next to Jason is Albert Clillie, councillor. Next to  
20 Albert is Nicole Hardisty, councillor. And to the far right, we've got  
21 Darcy Moses. He is a board of director for Pehdzeh Ki Contractors.  
22 Next to Darcy, we got David Moses, councillor for Pehdzeh Ki First  
23 Nations. Next to David is Freddy Lennie, councillor for Pehdzeh Ki First  
24 Nations. We've got Jensen Clillie, councillor Pehdzeh Ki First Nations.

09:24AM

25 George Moses, board of director Pehdzeh Ki Contractors. Next to  
26 George is Ed Tamprinke, he is the manager with Pehdzeh Ki  
27 Contractors. And Gabe Lennie, he is a board of directors of Pehdzeh Ki

1 Contractors as well as an Elder of Pehdzeh Ki First Nations. Thank you  
2 so much.

3 ALAN EHRLICH: Thank you very much, Sharon. And now  
4 Łíídlıı Kúé First Nation. Dieter, do you want to do the introductions?

09:25AM

5 DIETER CAZON: Good morning, everybody. My name is Dieter  
6 Cazon. I am the manager for the Łíídlıı Kúé First Nations. Today I  
7 have here Aria Thomas. She works with LKFN. She is a young  
8 member.

09:25AM

9 She participated in a lot of information gathering for the technical  
10 hearings and she just wanted to come to experience the technical  
11 hearings and what the apex of all the work that we do and present is  
12 going to be about. On Zoom, we have Trieneke Gastmeier and Andrew  
13 Picard (ph) from Tamarack Consulting. They'll be also commenting  
14 with LKFN. Thank you.

09:25AM

15 ALAN EHRLICH: Thanks, Dieter. Now we'll go to SSI.

16 TODD McCAULEY: Good morning, everyone. It's good to see a lot  
17 of faces here that I haven't seen for a long time, friends and family. Hi  
18 Tim. I'm Todd McCauley. I'm here on behalf of the Sahtu Secretariat.

09:26AM

19 In 2019, the SSI signed an MOU with the GNWT supporting the  
20 construction of the Mackenzie Valley Highway. My normal job is  
21 regional superintendent with Infrastructure but I'm on loan to the SSI for  
22 a couple of years to help promote and support the highway. So good  
23 morning, everybody.

24 ALAN EHRLICH: Thanks. And GTC.

09:26AM

25 KANDA KOLA GNAMA: Vanh gwiinzii, good morning, everyone. I am  
26 Kanda Kola Gnama. I represent the Gwich'in Tribal Council this  
27 morning. And on Zoom, I have Ruari with me that will be supporting  
and commenting. Thanks.

1 ALAN EHRLICH: Thanks Kanda. Can we now go to the Sahtu  
2 Land and Water Board.

3 NATALIE LIPPA: Good morning, everyone. I'm Natalie Lippa with  
4 the Sahtu Land and Water Board, a staff member.

09:27AM

5 ALAN EHRLICH: Good morning and welcome, Natalie. We also  
6 have folks from the Tulita Community Resource Committee -- Sorry, the  
7 Tulita Renewable Resource Council. If you could please introduce  
8 yourself.

09:27AM

9 FREDERICK ANDREW, JR: Hi, good morning. My name is Frederick  
10 Andrew. And I am appearing for RRC in Tulita. Mahsi.

11 ALAN EHRLICH: Good morning. And at the same table, we have  
12 Fort Norman Metis Committee represent.

13 JUDITH WRIGHT-BIRD: Judith Wright-Bird from the Fort Norman Metis  
14 Committee. I also sit on the Mackenzie Valley Highway Working Group  
15 for Tulita.

09:28AM

16 ALAN EHRLICH: Thank you. And we have representatives from  
17 the Délı̨nę Got'ı̨nę Government.

18 TODD SLACK; Hi, I'm Todd Slack. I'm a contractor working on  
19 behalf of Délı̨nę Got'ı̨nę Government.

09:28AM

20 ALAN EHRLICH: Are there any other Indigenous government  
21 organizations that are here that I haven't got to? I think we got to -- or  
22 online?

23 STEPHANIE KEARNS: This is Stephanie Kearns for the Délı̨nę  
24 Renewable Resources Council, and I believe we have a couple other  
25 scientists online that are representing the Délı̨nę Renewable Resources  
26 Council as well.

09:29AM

27 ALAN EHRLICH: Can we ask you to repeat that one more time.

1 It was a little quiet in the room; we are just adjusting the volume here.

09:29AM

2 STEPHANIE KEARNS: Sorry about that. Stephanie Kearns, I am legal  
3 counsel for the Délı̄nę Renewable Resources Council. And I believe we  
4 have -- they might not be on yet, but there will be a couple of scientists  
5 joining that will also represent the Délı̄nę Renewable Resources Council  
6 on the call.

09:30AM

7 ALAN EHRLICH: Great. Do we have any other Indigenous  
8 government organizations online? Okay. We are grateful about the  
9 amount of participation and the number of Indigenous governments that  
10 have -- organizations that have come to take part in this. We  
11 appreciate that there's going to be knowledge and information that's  
12 going to lead to better decision making because we're going to have a  
13 better discussion because all of you got here either physically or, I  
14 guess, online spiritually. Spiritually online? You know, to be here one  
15 way or another, and we really appreciate that.

09:30AM

16 Okay. And now we have federal departments that are here as  
17 well to provide their expertise on the subjects that we're looking at. And  
18 I'm going to ask Shannon Allerston to go by organization by  
19 organization to do their introductions.

09:30AM

20 SHANNON ALLERSTON: Thanks, Alan. I am Shannon Allerston. I work  
21 with the northern project management office with CanNor, Canadian  
22 Northern Economic Development Agency, and with me is Chantal Grey.  
23 And I'll just pass it over to CIRNAC and maybe go from front to back of  
24 the room. Thank you.

09:31AM

25 MEGAN LAROSE: Good morning, everyone. I'm Megan Larose.  
26 I'm an environmental specialist with Crown Indigenous Relations and  
27 Northern Affairs. Also attending portions of the sessions virtually across

1 the next three days we'll have Matt Bender, manager of Nutrition North  
2 Canada; Jennifer Walsh, a senior environmental policy analyst; Chris  
3 Brooms, Miranda Garcia Ayes (ph), and Michael Staniewski, all of  
4 whom are environmental policy analysts. Thank you.

09:31AM

5 ALAN EHRLICH: Matt Bender and I started working here together  
6 in 1998 for the independent environmental monitoring agency for the --  
7 at the time it was -- was it even called Ekati diamond mine at the time?  
8 It's been a long time since we've been in the same room working on the  
9 same stuff. Look, I appreciate that you have got a range of folks from  
10 CIRNAC. About how DFO.

09:32AM

11 TATIANA LECLERC: Hi, Tatiana Leclerc with the Fisheries and  
12 Oceans Canada, the fish and fish habitat protection program, and I  
13 have Natalie with me.

14 ALAN EHRLICH: Thanks. And NRCan.

09:32AM

15 PETER UNGER: Hi, it's Peter Unger with Natural Resources  
16 Canada, NRCan, and my permafrost Sharon Smith [inaudible]. Thank  
17 you.

18 ALAN EHRLICH: Peter, I have got to request that you could do  
19 that again with a microphone. We're having our session transcribed for  
20 the record.

09:32AM

21 PETER UNGER: Absolutely, my apologies. My name is Peter  
22 Unger. I work with Natural Resources Canada in our impact  
23 assessment division in Ottawa, and I will be joined virtually by our  
24 permafrost Sharon Smith on Thursday. Thank you.

09:33AM

25 ALAN EHRLICH: Thanks. And NRCan -- sorry, I'm looking at  
26 Transport Canada, but I'm saying NRCan. Eventually this coffee kicks  
27 in, and I get at least 20 percent smarter. Transport Canada.

1 SCOTT KIDD: Good morning. My name is Scott Kidd. I'm a  
2 regional and environmental advisor. I'm located in Winnipeg, and I work  
3 with the prairie and northern region.

4 ALAN EHRLICH: Thanks. Health Canada.

09:33AM

5 AYESHA SOHAIL: Good morning, my name is Ayesha Sohail. I  
6 am an impact assessment specialist with Health Canada. And joining  
7 me online are my colleagues Nicolas Wawryk and Julie Anderson. I'm  
8 from Edmonton. Hello.

09:33AM

9 ALAN EHRLICH: Thank you for coming here today. And finally  
10 Environment and Climate Change Canada.

09:34AM

11 MELISSA PINTO: Good morning, I'm Melissa Pinto. I'm a senior  
12 environmental assessment officer with Environment and Climate  
13 Change Canada. We have a few folks online. So Jennifer Sabourin,  
14 environmental assessment officer; Gabrielle Belafonte, environmental  
15 assessment and emergencies analyst; Sarah Forté, water quality  
16 analyst; and, Robert Nissen, air quality analyst. And I am going to hand  
17 it over to Bridget beside me to introduce the Canadian Wildlife Service  
18 team.

09:34AM

19 BRIDGET CAMPBELL: Good morning, Bridget Campbell from the  
20 Canadian Wildlife Service. And with me online, I have my supportive  
21 team, Sam Haché and Eric Reid for the bird experts; Kimberly Dawe for  
22 caribou, and I have Sabrina Clarabe and Anna Gram (ph) from our  
23 national capital region.

09:34AM

24 ALAN EHRLICH: Okay. And we've got two folks online, one of  
25 whom is from Norman Wells. Can you introduce yourself, please. I  
26 think we have someone from the Norman Wells RRC online.

27 LISA McDONALD: Hi, good morning, everyone, Lisa McDonald

1 from the Norman Wells Renewable Resources Council. I'm  
2 secretary-treasurer. Well [inaudible]

09:35AM

3 ALAN EHRLICH: I'm sorry to say that our connection wasn't  
4 great, and you're cutting in and out. Can I ask you to repeat that,  
5 please.

09:36AM

6 LISA McDONALD: Okay, try again here. The internet is not great  
7 here. I'm up in Whitehorse right now. We have Rhea McDonald who is  
8 the president; our secretary-treasurer Jasmine Plummer; Sierra  
9 McDonald, director; and, Margaret McDonald, Elder; and myself, Lisa  
10 McDonald, from the Norman Wells Renewable Resources Council.

11 ALAN EHRLICH: Thank you. Is there anyone else participating in  
12 this session who -- do we still have the SRRB? Are there participants  
13 from the SSRB who could introduce themselves, please?

09:36AM

14 SHANNON BOWER: Hi, good morning, everyone. Shannon Bower  
15 here from Planit North. I'm sitting in on behalf of the SRRB. I'm not  
16 able to join you live today but looking very forward to seeing all your  
17 faces online over the next few days.

09:37AM

18 ALAN EHRLICH: Okay, thank you for that. I think that concludes  
19 introductions. Is there anyone that I missed? Pietro de Bastiani, can  
20 you please introduce yourself?

21 Can you please introduce yourself using a microphone.

22 PIETRO DE BASTIANI: Pietro de Bastiani, interested party. I worked on  
23 this conceptually in 1990, and this is like going back to school. Thank  
24 you.

09:37AM

25 ALAN EHRLICH: And I'd also point out that, on behalf of Gwich'in  
26 Tribal Council, Ruari Carthew is online as a consultant for them. And so  
27 we welcome Ruari.

1           Okay, before we get to our opening presentation -- and I thank  
2           you all. Like I said, this is a really big technical session and part of that  
3           is a reflection that it's an important project and there's a lot of interest in  
4           it. And that it's a project that could potentially cause a lot of change and  
5           that people care about.

09:38AM

6           I just want to sort of set a tone before we get to the opening  
7           presentation.

8           A lot of people who don't work with environmental impact  
9           assessment a lot, or impact assessment, they tend to think it's about  
10          whether projects get a thumbs up or thumbs down to go ahead or not.

09:38AM

11          In reality, that's a pretty rare outcome. It's pretty extreme that  
12          something gets rejected. Our board certainly has not done that very  
13          often and has never done that when it sees any alternative. Most of the  
14          time what happens is the projects that come into environmental

09:38AM

15          assessment, they've been designed as well as they can by the people  
16          proposing them. But the people proposing them can only see through  
17          their own eyes and not necessarily through the eyes of the people who  
18          might be affected by the project or who live around the project or who  
19          are responsible for taking care of some of the ecosystems around the

09:39AM

20          project. And so getting the direct input from those groups can help  
21          people recognize where there are vulnerabilities or improvements that  
22          can come out and, as a result of environmental assessments, pretty  
23          much every project comes out substantially improved from the project  
24          that went in.

09:39AM

25          This session today here is not about whether or not people want  
26          the freedom to move or whether or not people want to have roads in  
27          general. The issue here is how can you -- how can you build a road

1 better? How can you make it better? What kind of concerns do people  
2 have that they think should be considered in the decision making about  
3 how the road can go ahead? I mean, technically, legally, there's an if,  
4 but practically, most of the time, this is about building a better road.

09:40AM

5 And if a highway is going to go up ahead the Mackenzie Valley, I think  
6 everyone wants it to be the kind of highway that does not cause  
7 collateral damage, that does not cause avoidable harm for the people or  
8 the ecosystems they depend on. All right? So I just want to try and  
9 frame this as the kind of constructive dialogue that it should be. We're

09:40AM

10 all trying to achieve a similar goal in the room here. And I say in the  
11 room but the online room too, okay, which is to produce a highway that  
12 isn't going to cause unintended harm to people and families and  
13 communities and cultures and ecosystems, right, and to design it better  
14 instead of trying to spend the effort later on cleaning up messes and  
15 problems and harms that could have been avoided. That's what we're  
16 here for. But to do that properly, we need to dig deep and understand  
17 the issues.

09:40AM

18 And you all have probably seen just the volume of paper that  
19 flows back and forth with environmental assessments. There's a lot of  
20 written stuff and a lot to plow through, and that suits some people better  
21 than others. But we found that having a constructive dialogue, not an  
22 adversarial dialogue, a constructive dialogue between parties on the  
23 issues that we know matter is one of the most efficient ways to get to  
24 the heart of the issue, to solve some of the small things, and figure out  
25 what big things still need to be tackled and really need the most  
26 attention, and to figure out what kind of impacts are likely to happen  
27 from the project and what can be done about them, how should it go

09:41AM

09:42AM

1 ahead to make something that will not be a source of regret in the  
2 future, will be a source of empowerment, will not harm the stuff we want  
3 to protect and take care of. And so that's really what we're all in this  
4 room together for. And, again, it's not a hearing. Our board members  
5 aren't here. People tend to have more open and frank discussions  
6 because they know that this is just preparing evidence that will  
7 eventually go into the public record and be part of the decision making,  
8 but you're not speaking before decision makers today. I guess it's  
9 possible that board members are able to join the online part, and I'll let  
10 you know if that happens. But, really, I would like you guys to tell us  
11 what you really think. And if there are things that have been  
12 problematic so far, this is a chance to get through it that's efficient and  
13 it's fast, and it's a chance to maybe build trust in different directions, and  
14 ultimately, you know, if we can make a highway better and less harmful,  
15 let's do that.

09:42AM

09:43AM

16 I think that that's -- that's it for my big opening. It takes work.  
17 You have to put yourself out there to say what you really think, and  
18 sometimes it's intimidating in a larger group of people. This  
19 environmental assessment has been going on a while. You've all had a  
20 chance to at least think about the stuff that we're discussing today.  
21 There's been numerous information requests going in different  
22 directions about this. We've got the developer's assessment report  
23 describing the project. We've spent time in communities in 2013 trying  
24 to figure out what issues we need to most deal with; and then when the  
25 GNWT came back to us more recently, we've had community sessions  
26 in not all communities -- we still want to get to Simpson -- but we've had  
27 them -- and we have yet to get to Fort Good Hope. But we've had

09:43AM

09:43AM

1 sessions recently in Wrigley, Tulita, Délı̄në, and in Norman Wells.  
2 There's a lot of information already out there. So we want to take this  
3 next step and try hard to deal with stuff here instead of through volumes  
4 of paper later.

09:44AM

5 One of the things -- and this is me looking at the developer. One  
6 of the things the developer's in the past have found as a very effective  
7 way to focus what they're doing and maintain autonomy about how they  
8 design and manage their project is if you hear concerns that can be  
9 dealt with with commitments, things that you're prepared and able to do  
10 to solve the problem, if you make the commitments here, we can record  
11 them, and then they effectively become part of the project design, part  
12 of the project proposal. And so if there are things you want the GNWT  
13 to commit to, you got to be very clear about that because it'll help them  
14 figure out what they can do, because maybe there's a lot of common  
15 ground that you don't know about.

09:44AM

09:45AM

16 Okay, so with that -- and we're going to record commitments.  
17 There's transcription. But first, we're going to have a presentation on  
18 the technical sessions, how they fit into this and what's happening for  
19 the next three days, and that's from Catharine. Catharine, do you want  
20 to go ahead, please.

09:45AM

21 CATHERINE FAIRBAIRN: Thanks, Alan. I just have a few slides  
22 and then I'll hand it over to the GNWT to start us off.

23 The first -- or next slide here, there's a quick summary of the  
24 session overall, what we're doing for the next three days. So today  
25 we're looking at project description, caribou and moose, other wildlife,  
26 and species at risk. Tomorrow we'll look at impacts on communities,  
27 socio-economics, culture, traditional land use, and harvesting. And then

09:45AM

1 on the final day we'll look at water quality and quantity, fish and fish  
2 habitat, terrain and permafrost, climate change, air quality and noise,  
3 and vegetation.

09:46AM

4 I think we'll have a lot of the same people throughout the three  
5 days, but also sometimes different experts will be coming for specific  
6 days and specific topics.

09:46AM

7 For each of these topics, the plan -- and we'll go through the  
8 detailed agenda for today and then tomorrow we'll go through  
9 tomorrow's and so on -- but for each of those topics, the plan is for the  
10 GNWT, the developer, to give a short presentation on their predictions  
11 about impacts and mitigations and so on, and then we'll go into  
12 discussion and questions.

09:46AM

13 So the purpose, as Alan mentioned, is really about open  
14 discussion between parties and the developer on any and all  
15 information, scientific and traditional and knowledge and so on. This is  
16 the chance to ask clarification questions about IR responses, about the  
17 developer's assessment report, about the project description, about  
18 anything else that's on the record.

09:46AM

19 We really encourage people to focus on the issues and the  
20 impacts that matter to you. You can think about that in terms of  
21 significance or just the things that matter most. If you can, you know,  
22 think about asking questions that are about information that might  
23 resolve your concerns or mitigation or commitments that might help  
24 address them, that can be really useful.

09:47AM

25 Next slide. So I've got a few tips, and we'll talk about questioning  
26 as well.

27 We do want this to be a productive conversation or discussion. I

09:47AM

1 know it feels very formal with microphones and with the size of the room  
2 and with everything else, but it is meant to be a back and forth  
3 discussion. It's a lot less formal than a hearing. So this is a place to --  
4 this is the time, the step in the process that's really about asking  
5 questions and validating information. It's less about sort of position  
6 statements or reiterating outstanding issues. But also I wanted to make  
7 sure to mention that anything like that really should be brought forward  
8 in your interventions. That will be one of the next steps before the  
9 hearing, and so keep that in mind, that we want to touch on certain  
10 things. You want to touch on any really big issues again in the  
11 interventions even if they do come up today.

09:47AM

12 Questioning won't go party by party today. It's more of a free  
13 flow than that. So, you know, Łíídlıı Kúé could ask a question and then  
14 the Sahtu Land and Water Board could jump in, or Pehdzeh Ki First  
15 Nation could jump in and so on. If somebody asks a question and you  
16 have a question about the answer, you can chime in and ask a followup  
17 question. It's meant to be much more casual and free flowing than what  
18 some of you might be thinking of from a -- like from a public hearing  
19 that's very strict about who can question when.

09:48AM

20 Please do try to be direct with your questions. We only have so  
21 much time, and I know there's a lot of stuff. So if you can try to get to  
22 the real thing you're trying to ask. You know, don't ask a series of  
23 questions to get to your point; try to get right there and give the GNWT  
24 time to answer. Because that's what I think we really want to spend  
25 time on today, is answers. The GNWT or other parties. You can also  
26 ask other people questions if there's something relevant that comes up.

09:48AM

27 If you're answering as well, whether it's -- whichever group is

09:49AM 1 answering, please try to be efficient. Try not to spend too much time,  
2 you know, doing a huddle and putting your heads together. If you do  
3 need more time, then just say that and we can always make it an  
4 undertaking and you can come back with an answer later in the  
5 technical sessions. That helps us keep moving and keep doing things.

6 And we also really do encourage people to use sidebar meetings  
7 or conversations at lunch or on any of the breaks to further discuss any  
8 issues that might come up. This is our chance to be in the room  
9 together.

09:49AM 10 So just a couple other quick items of note. We do have  
11 transcription as we've mentioned a couple times. That's the reason for  
12 using the microphones and for speaking into the microphone -- and I  
13 don't think I introduced myself. This is Catherine Fairbairn. That's what  
14 you're supposed to do when you start talking. Always speak into the  
09:49AM 15 microphone. Always say your name every time. We have Jenna  
16 Mearns in the room helping, and Lois Hewitt online, so they'll be doing  
17 that and they'll might also come around and check name spellings or  
18 and remind us that we haven't said our names and so on.

09:50AM 19 Transcripts will be posted before -- like today's transcript will be  
20 posted before we start tomorrow. And the same for the rest of the  
21 days.

22 As Alan mentioned, we will be tracking commitments and  
23 undertakings. So those will be documented in the transcripts and  
24 depending on how many and what they include, we might go over those  
09:50AM 25 at the end of the day or the beginning of the next day.

26 Commitments should be clearly identified by the GNWT, or if you  
27 have asked a question and you hear something that you think might be

09:50AM 1 a commitment, you're welcome to ask, you know, was that a  
2 commitment and so on. Undertakings are things that can't be answered  
3 now but could be answered some other time during these three days.  
4 So maybe it's that tomorrow the social experts are here or maybe you  
5 just need a bit of time to sort of go back to your other experts and talk  
6 before you can bring an answer. That's the purpose of undertakings.  
7 And we do have a staff member here who will be specifically tracking  
8 undertakings and commitments and the language for them.

9 We already talked about questioning.

09:51AM 10 In terms of online participation, I think many groups have at least  
11 somebody in the room. So if you do have somebody in the room, and  
12 you can coordinate your people online that's really useful in terms of  
13 when they might question. And as Alan has said, we might have board  
14 members sign in online and listen in, they won't be asking questions,  
09:51AM 15 and I don't believe we have any now. We'll let you know if that changes.

16 We'll do our best to keep to the schedule in terms of breaks.  
17 The rest of the schedule is -- you know, Alan's job is to keep us on track  
18 as much as possible, but we also understand that sometimes there's  
19 more questions about certain topics and we'll do our best to adjust and  
09:51AM 20 accommodate as we can.

21 Lunch is an hour and 15 minutes to allow you to go out for lunch  
22 and hopefully beat the crowd, at 11:45, and be back here for a start at  
23 1. And I just wanted to also flag that Tanya Lantz, our other Review  
24 Board staff, might be taking photos. So if you don't want your photo  
09:52AM 25 taken, please let one of us know.

26 Washrooms are through that door to the back and there's two  
27 exits to the room, if something comes up. And then, finally, on the last

1 side, we'll just take a quick look at today's agenda and then I'm done.

2 So we're running a few minutes behind schedule, but not too  
3 bad. Next we'll go to the GNWT for a short presentation about the  
4 project and the project description. We'll have our break, and then we'll  
09:52AM 5 come back to discuss questions about the project. After lunch, we'll do  
6 kind of the same routine - developer's presentation, and then questions  
7 and discussion on caribou and moose. And then after another break,  
8 we'll do other wildlife and species at risk. The goal is to wrap up at  
9 4 p.m. But as I said, if we go long on some of these topics we might  
09:52AM 10 also go a bit long after 4, depending. That's everything from me.

11 ALAN EHRLICH: Thanks. A couple of things I just want to  
12 reinforce and that Catherine pointed out, that if there -- the step after  
13 this, there's more technical analysis after this. But after you've had a  
14 discussion in the technical sessions, if there are issues you want to  
09:53AM 15 continue to pursue, don't forget to include them in your hearing  
16 interventions later. Just because they've been discussed here doesn't  
17 mean that you shouldn't make your priorities clear when you're  
18 preparing for the hearing. Our goal here, as the name would suggest,  
19 "technical sessions", we're trying to get into the technical issues.

09:53AM 20 Now, in most EAs where the GNWT is not the developer, we  
21 have the benefit of independent technical expertise from the GNWT in  
22 the form of different expert departments, which are not associated with  
23 the developer normally. But in this case, the developer's taken a whole  
24 of government approach so that's why the board, for example, has  
09:54AM 25 gotten an ungulate biologist while normally we might rely on the  
26 GNWT's ungulate biologist. And is also a cause for extra gratitude that  
27 the federal departments have stepped up, where they can, to try to

1 provide additional expertise that can help the board in this.

2 Okay, so with that, I'm going to hand it over to the GNWT for an  
3 overview of the project. You guys have 15 minutes.

09:54AM

4 Oh, one last point. Because it's a technical session and it's  
5 about the issues, I'm going to encourage you all, as best you can, to  
6 refrain from any sort of like lengthy political speeches. We're trying to  
7 dig down into what will actually happen, or what do you think is likely to  
8 happen, as a result of the proposed road and what can be done to avoid  
9 or reduce those harms. There are other opportunities for political

09:55AM

10 positioning. Yes, it's true; someone wise told me this morning it's all  
11 political but there are other venues where we'll get good mileage out of  
12 this. So I just want to encourage you to really spend the time going for  
13 the stuff that is most important to you, that if you were designing the  
14 project you would want to have front of mind to make for a better  
15 project. Okay, over to you, GNWT.

09:55AM

16 SETH BOHNET: Thanks very much. Seth Bohnet, Government  
17 of the Northwest Territories. Next slide, please.

18 In the interests of trying to keep us on schedule, I will go through  
19 the overview here fairly quickly to ensure we have time for the  
20 questions. I have already introduced my so if there is any questions on  
21 that, feel free to poke me later or kick me, whichever you prefer.

09:55AM

22 To Alan's point about the whole of government approach, I do  
23 just want to flag that we do have representatives here from all of the  
24 various departments that have an interest in the project. All of them  
25 have been instrumental in helping us to inform the project design and  
26 the development of the project mitigations and they have been helping  
27 us, as we've engaged with various parties, to ensure that this project

09:56AM

09:56AM

1 does advance in the best interest of everybody involved. As questions  
2 come up, we will direct questions to them if their input is warranted and  
3 to make sure that they have an opportunity to participate as well. And  
4 then of course we do have our discipline experts. As we move into the  
5 various topics, we will likely have them lead the intro with a couple of  
6 slides specific to each of those topics.

7 Next slide, please. Here we go so -- I guess I better follow along  
8 in my notes, eh.

09:57AM

9 So of course, the Mackenzie Valley Highway Project, you should  
10 all be quite familiar with, what we're talking about today is the extension  
11 of all-season highway from Wrigley to Tulita and Norman Wells  
12 replacing the existing Mackenzie Valley winter road in that portion of the  
13 Mackenzie Valley with all-season access.

09:57AM

14 The intent, while again these technical sessions are specific to  
15 the details of how best to improve the project, we do want to consider  
16 and keep in mind why we're doing the project. Our intent here is to, of  
17 course, provide some redundancy and some added resilience to the  
18 NWT's transportation system. Right now there's communities in the  
19 Sahtu region in particular, in the Mackenzie Valley, that are inaccessible

09:58AM

20 for a large portion of the year. So this warrants the GNWT's exploration  
21 and the proposal to improve access to those communities on an  
22 all-season basis. The intent being to improve the quality of life for  
23 residents, health patrol, lower the cost of living, and promote economic  
24 growth and diversification.

09:58AM

25 Next slide, please. The project itself includes construction of  
26 281 kilometres of new all-season gravel highway - 102 kilometres of  
27 which is in the Deh Cho region and 179 kilometres in the Sahtu region.

09:59AM

1 The project will connect to existing infrastructure south of Norman  
2 Wells. Two projects have been completed already, the Canyon Creek  
3 all-season access road and Prohibition Creek access road phase 1, as  
4 well as the Great Bear River bridge project, which will be advanced,  
5 both the previous road projects and the Great Bear River bridge  
6 projects are advancing independently of the Mackenzie Valley Highway.

7 Oh, there we go. Sorry, technical glitches.

09:59AM

8 The project is intended to connect existing infrastructure along  
9 the Mackenzie Valley winter road alignment. There are already existing  
10 bridges in place. The road mostly follows the existing Mackenzie Valley  
11 winter road. We currently estimate that there will be an additional 85  
12 culverts required to be installed along the highway at watercourses do  
13 not currently have existing bridges in place.

10:00AM

14 To support construction activities, we will need temporary and  
15 permanent support infrastructure and work spaces, including  
16 maintenance yards, camps, lay down and staging areas, and fuel  
17 storage areas. Maintenance areas, maintenance yards, will be used  
18 during construction as well as into operations. Construction will happen  
19 year-round. Granular material needed to build the highway and access  
20 roads will come from borrow sources and quarries along the alignment.

10:00AM

21 Some of these will remain open post construction to support highway  
22 operations and maintenance. Maintenance equipment and materials  
23 will be kept at a couple of the maintenance yards post construction,  
24 again for operation and maintenance.

10:00AM

25 Following constructions, activities will include closure and  
26 reclamation of temporary borrow sources and quarries, work spaces  
27 that are no longer required post construction, the demobilization of

1 equipment and materials; and once operational, the GNWT will assume  
2 the highway operation maintenance and -- operations and maintenance  
3 as part of the rest of the territorial highway system.

10:01AM

4 It should be noted that construction, again, of the Great Bear  
5 River bridge is being advanced separately from this project. Operations  
6 and maintenance of the Mackenzie Valley winter road, as required for  
7 public safety including repair and upgrades of existing watercourses and  
8 structures, until such time as the Mackenzie Valley Highway is open,  
9 are separate and independent from this project and use of existing and  
10 authorized municipal, commercial, or public infrastructure or services  
11 such as solid waste facilities and waste water facilities, transportation  
12 services and, again, the Mackenzie Valley winter road, are outside the  
13 current project. Detailed description of project works and activities is  
14 included in chapter 5 of the developer's assessment report.

10:01AM

10:02AM

15 Next slide, please. The proposed highway route, again, follows  
16 the Mackenzie Valley winter road but does account for design  
17 requirements of a rural arterial road which is a low volume, low capacity  
18 road. The alignment would be wider, straighter, and less steep than the  
19 current winter road. The intent, of course, is to follow the winter road as  
20 much as possible though we will need to avoid certain areas such as  
21 lakes and bogs and sensitive terrain. Engagement input to date has  
22 been used to relocate portions of the route to avoid sensitive areas.

10:02AM

23 The project, as described in the developer's assessment report,  
24 builds upon information previously presented in two of four project  
25 description reports which are available on the project public registry.

10:03AM

26 Having said that, again the highway route is not final. Design is  
27 in an early stage of development and may need to change based on

1 continued design studies and engagement inputs. The DAR presents  
2 the route within a one kilometre wide alignment routing corridor which  
3 will accommodate refinements as design progresses.

10:03AM

4 Next slide, please. The highway's estimated to take ten years to  
5 construction, actual construction time, over a period of 20 years,  
6 depending on the availability of funding and regulatory approvals.  
7 Project construction is likely to be phased. The environmental  
8 assessment assumes construction will occur in in three different  
9 segments:

10:04AM

- 10 - a 102 kilometre segment from Wrigley to the Deh Cho-Sahtu  
11 border;  
12 - a 134 kilometre segment between Tulita and the Sahtu border;  
13 and  
14 - a third 45 kilometre segment between Tulita and Prohibition  
15 Creek south of Norman Wells.

10:04AM

16 The order in which these three segments will be constructed has  
17 not yet been determined. And the 20-year timeframe that we've  
18 proposed allows sufficient time between each of those phases for  
19 independent and separate regulatory processes.

10:04AM

20 Once constructed, the GNWT's Department of Infrastructure will  
21 operate and maintain the highway as part of the NWT highway systems.  
22 I believe I already reiterated that one.

10:05AM

23 Next slide, please. As mentioned, the initial project description  
24 reports were developed back in -- well, I didn't mention it, but -- I'm  
25 stumbling already. It's going to be a long three days, folks.

26 By way of a little bit of background information, our project  
27 description reports for the project were originally developed back fin

10:05AM

1 2010, 2012. The project was self-referred to the Mackenzie Valley  
2 Environmental Impact Review Board for environmental assessment in  
3 2013. As Alan already mentioned, two years followed that initial  
4 submission and referral to scope out the project and refine and develop  
5 the Review Board's terms of reference, which was completed in 2015.

10:06AM

6 In 2018, the GNWT secured funding under Transport Canada's  
7 National Trade Corridors Fund to advance studies and applying for the  
8 project. And other the last four years, five almost now, extensive work  
9 has gone into developing and completing the developer's assessment  
10 report, which includes carrying out of environmental engineering and  
11 socio-economic studies to establish baseline conditions such as wildlife  
12 populations and habitat use, to form the basis for assessment of the  
13 effects in the DAR. Some of the studies completed to date include fish  
14 habitat studies, archeological surveys and impact assessments, wildlife  
15 surveys for caribou and moose in particular. That all was submitted to  
16 the board of course in October of last year and in November, the board  
17 determined that the developer's assessment report did meet  
18 conformance met hence we are here today.

10:06AM

10:07AM

19 Next slide, please. Engagement on the project has been  
20 ongoing since the development of those original project description  
21 reports back in 2010-2012 and most recently during the development of  
22 the developer's assessment report. Between 2021 and 2023, the  
23 GNWT conducted three rounds of engagement in affected communities  
24 to present a project overview and the potential interactions and effects  
25 of the project on the environment and proposed mitigations and  
26 monitoring programs. This year, we have continued to engage on the  
27 socio-economic mitigations that we proposed.

10:07AM

1 Through those engagements, we received the most input on  
2 project routing, special places, and potential impacts to communities.  
3 We also heard concerns about increased access to drugs and alcohol,  
4 concerns about harvest pressures, and interest in employment  
10:08AM 5 opportunities and training.

6 In addition, specific projects -- project specific traditional  
7 knowledge studies have been completed by the Tulita Renewable  
8 Resources Council and the Norman Wells Renewable Resources  
9 Council. The influence of engagement on the project and effects is  
10:08AM 10 presented throughout the DAR.

11 Next slide, please. There have been supplemental filings since  
12 the DAR was submitted last October. Following submission, we have  
13 added four reports to the registry. A study of the highway as a potential  
14 barrier to caribou movement was provided in February of 2024. Aerial  
10:08AM 15 moose survey report from -- was provided in April 2024. An updated  
16 climate change and health vulnerability assessment as well as  
17 information on an accelerated construction schedule alternative which  
18 came out of questions provided through an information request from the  
19 Review Board.

10:09AM 20 I'm sorry, I lost my spot. Fat fingers over here.

21 ALAN EHRLICH: Seth, are you getting near the end? Just  
22 because time-wise; we're pushing it a little bit.

23 SETH BOHNET: I have one and a half slides here. I will be as  
24 quick as I can be, sir.

10:09AM 25 Engagement efforts, I would reiterate are ongoing. We have  
26 continued to engage communities on socio-economic mitigations. We  
27 are engaging on the wildlife monitoring plan and, as and when

1 requested, an opportunity presents itself, we work with communities and  
2 individual parties on specific topics of their choosing. We've also got  
3 work underway with other organizations on traditional land use as well.  
4 As well, we've got work underway on alignment improvements.

10:10AM

5 Next slide, please. This slide just speaks a little bit about next  
6 steps. Again, we're anticipating right now that the Review Board's  
7 environmental assessment will be completed mid year next year,  
8 followed by the period of required for minister's final decision. We're  
9 anticipating that construction, provided all things go favourably, could  
10 start as early as 2027-2028 but that, of course, is dependent on several  
11 outstanding factors not the least of which is the availability of funding,  
12 and the additional engagement plan and completion of design. So with  
13 that, I'll pause there.

10:10AM

14 ALAN EHRLICH: That's great. Thank you very much for that. I  
15 appreciate that that is concise but you covered a lot of ground. So,  
16 that's good. We're going to take a 10 minute break. We're going to  
17 start up again at 10:20. Thanks, everyone.

10:11AM

18 - SHORT BREAK -

19 ALAN EHRLICH: So start of the technical sessions. Our topics  
20 for the morning include technical aspects of road design, routing with  
21 linear developments. Routing is often one of the most effective things  
22 you can do to avoid problems. We're going to look at accidents and  
23 malfunctions, right, not just what happens if everything goes as planned  
24 but what happens when reality kicks in and things do not always go as  
25 planned. And we're going to look at what we've called effects of the  
26 environment on the project but in reality that has some links to  
27 accidents and malfunctions because it has to do with resilience for the

10:25AM

10:25AM

1 future. You've heard that this is a project that's proposed to be ongoing  
2 for -- I don't know want to say perpetuity because I've learned with Giant  
3 mine that's a very big word -- but for certainly a very very long time and  
4 we have seen the climate changing beneath our feet just recently. And  
10:26AM 5 so thinking about how is the project being designed to be resilient for  
6 the climate that it will have to operate in and be maintained in.

7 And I also just want to remind everyone that there's construction.  
8 Construction is a big deal, but construction is a relatively short part of  
9 the life span of a project. The ongoing operation and use and  
10:26AM 10 maintenance and that kind of stuff is quite important. Also, I just want  
11 to remind everyone that the board's mandate, yes, legally this process  
12 is called environmental assessment but that includes the human  
13 environment and so it's not just impacts on fish, water, wildlife, species  
14 at risk, but also people, families, vulnerable people, communities,  
10:27AM 15 regions, culture, physical impacts, and spiritual impacts. Our board  
16 deals with the whole nine yards.

17 Think of the different ways that a project like this could really  
18 affect people and the land, with a capital L, land at large. That's the  
19 stuff that our board wants to think about with respect to the topics just  
10:27AM 20 went ahead. Who wants start with any questions for the developer?

21 Jane from PKFN.

22 JANE HENDERSON: Merci. Is this about the right place for the  
23 microphone?

24 ALAN EHRLICH: It is. But just to be a good role model, please  
10:27AM 25 state your name before you start speaking.

26 JANE HENDERSON: My apologies. Merci, my name is Jane  
27 Henderson. I have been asked to bring some questions from Pehdzeh

1 Ki First Nation. I will just say, first of all, questions on road design and  
2 routing are some of the -- PKFN's main questions and concerns are on  
3 this topic. We feel very constrained by the limited amount of time in this  
4 project -- in this day. I'll say we'll do our best to work with that, but the  
10:28AM 5 questions we have relate to four main topics on road design and routing  
6 but then we have more detailed questions under each of those topics.

7 We have been asked to prepare questions in a technical way that  
8 refers to the DAR and other documents so we have done our best to do  
9 that. But please be clear, these questions are really coming directly  
10:28AM 10 from members.

11 So we've been asked to be direct and constructive and to point  
12 out vulnerabilities from Pehdzeh Ki's perspective in the plan and so that  
13 is what we need to do. And I will start by saying that from Pehdzeh Ki  
14 First Nation's perspective, an alternate route outside the one-kilometre  
10:28AM 15 corridor is the mitigation measure that will fundamentally resolve many  
16 of the adverse effects, socially, economically, culturally,  
17 environmentally. Just like you said, that broad definition of  
18 environmental. So with that in mind, I would like to ask some questions  
19 on the design and evaluation criteria used in the DAR.

10:29AM 20 Starting at section 5.2.2, the developer lists the design  
21 parameters and objectives. These are -- we also see these in section 7  
22 and they're paralleled in the evaluation criteria. So the key ones PKFN  
23 has questions are: The criteria -- the design objective to use the  
24 existing winter road alignment to the extent possible to reduce the area  
10:29AM 25 of new disturbance; to align the highway route to all existing winter road  
26 water crossings -- water crossings structures; and, to situate the  
27 highway near to and prioritize the use of quarries or other sources that

1 already exist. And it says that the purpose of this is to reduce the new  
2 disturbances. However, PKFN -- from PKFN's perspective, these are  
3 very circular statements that have predetermined an outcome and why  
4 we're -- for PKFN's perspective, you know, the developer could have  
10:30AM 5 chosen to use statements that provided an open ended outcome such  
6 as simply to minimize new disturbance, to minimize new disturbance to  
7 watercourses, to minimize new disturbance of quarries, borrow sources,  
8 and access roads.

9 So PKFN, with respect, would like to ask why the design criteria  
10 were tied to using the existing alignment, using the existing water core  
11 structures, and using existing quarries, borroughs, and access roads. Is  
12 my question clear; they seem to preclude other options.

13 ALAN EHRLICH: Jane, thanks for that. I just want to check with --  
14 is it Jenna? I want to check with Jenna, our transcriptionist, that that  
10:30AM 15 pace is okay. Sometimes we do stuff with translation and so we have to  
16 moderate the pace but there's no translation requested today. So does  
17 that work for you guys, is that pace going to get caught okay in our  
18 transcript?

19 THE COURT REPORTER: It's doable; I'd love it if you slowed down  
10:31AM 20 just a smidgen but I understand that everyone is trying to squeeze stuff  
21 in and it's natural to talk at your normal pace. So a little bit slower would  
22 be great, but it's still picking up; like I'm catching it so don't worry.

23 ALAN EHRLICH: This is useful so that idea is that the  
24 conversations we have here don't just disappear into the ether; we want  
10:31AM 25 to be able to, you know, look back and try and remember them properly.

26 So Seth, you have heard the question about routing, so go  
27 ahead, please.

10:32AM 1 SETH BOHNET: Yeah, thank you. Seth Bohnet, Government of  
2 the Northwest Territories. So there's two factors to consider here. One  
3 is specifically to your point on our goal, again, that we referenced, was  
4 to minimize -- or, I guess, you're right, to leverage the existing  
5 infrastructure with the intent of minimizing any new disturbance. So  
6 there already is a winter road alignment. There already is existing  
7 bridge infrastructure with approaches et cetera, et cetera, and any  
8 deviation from that will create new disturbance. And so to that point, we  
9 are leveraging that existing infrastructure to the best of our abilities. To  
10:32AM 10 be certain, again, the alignment that we have proposed is informed by  
11 engagement that took place to inform those original project description  
12 reports. And again, there is still an opportunity to finalize design and  
13 make alterations to the final alignment. That being said, again, we  
14 continue to work with PKFN on some of those concerns that they  
10:33AM 15 continue to raise.

16 ALAN EHRLICH: Thanks, Seth. Your response puts a question  
17 in my mind. Will those bridges likely need replacement over the life  
18 span of the road?

19 SETH BOHNET: Sorry, which bridges?

10:33AM 20 ALAN EHRLICH: You pointed out that the bridges are there,  
21 you're leveraging existing infrastructure, but the road is for a very long  
22 time and I am asking if the life span of bridges, considering the life span  
23 of bridges compared to the life span of the project, will bridges need to  
24 be replaced over the life span of the road?

10:33AM 25 SETH BOHNET: So these bridges currently are not included in  
26 the scope of our project, but our asset management team, the GNWT,  
27 regularly inspects all assets and, typically, the life span or a life cycle of

1 a bridge is approximately 75 years. So at some point in the future,  
2 those bridges will need to be replaced but it's on a case-by-case basis,  
3 bridge-by-bridge basis.

4 ALAN EHRLICH: Thanks. Back to PKFN.

10:34AM

5 JANE HENDERSON: Thanks, Jane Henderson speaking for PKFN.

6 So in table 26.2, activity 31, it shows that from 2001 to 2016, 31 bridges  
7 and arch culverts of the water crossings were installed between Wrigley  
8 and Norman Wells. So my question is do those water crossings that  
9 were recently installed, which you explained might have a life span of up  
10 to 75 years, do those water crossings meet the requirements of  
11 anticipated all-season use?

10:34AM

12 SETH BOHNET: My understanding right now is that all new  
13 bridges that have been installed have been built to a standard that will  
14 allow all-season use. There may be requirements for traffic control.

10:35AM

15 But, yeah, all new bridges that have been installed would support the  
16 existing road.

17 JANE HENDERSON: So to put that another way, the water crossings  
18 that went in 2000 to 2016 were designed with an all-season highway in  
19 mind?

10:35AM

20 SETH BOHNET: I'll have to confirm.

21 JANE HENDERSON: Is that a commitment? Is that what we do --  
22 sorry, this is Jane Henderson with the PKFN. Alan, is that an example  
23 of when GNWT says something and we say is that a commitment?

10:35AM

24 ALAN EHRLICH: So, look, we could make a formal undertaking  
25 out of confirming but it would be better if -- is this just a phone quick  
26 phone call that you could come back to us after lunch with? It's better  
27 to do that than have outstanding undertakings to take away. If you can

1 settle it soon within this technical session, that will be ideal.

2 SETH BOHNET: So I'll come back to you later today.

3 ALAN EHRLICH: Thanks. Question, Melissa.

4 MELISSA PINTO: It's just really hard to hear the question when  
5 you're at the back of the room.

10:36AM

6 ALAN EHRLICH: So Martin, people at the back of the room are  
7 having a hard time hearing what's being said into the microphones at  
8 the front of the room. Could we do something about that, because it is  
9 important that people understand the discussions that are going on.

10:36AM

10 Can you guys hear me okay at the back? Is that better than it  
11 was before? Okay. Normally people want to hear less of me, not more  
12 of me. All right. Thanks for that. Back to PKFN.

13 JANE HENDERSON: Thank you, this is Jane Henderson from PKFN.  
14 Can you hear me at the back? Am I speaking slowly enough? Oh,  
15 dear, okay.

10:37AM

16 Okay. So the reason PKFN is asking this is they were not  
17 consulted on the installation of those recent upgrades, and they seem  
18 to be foreclosing the route of the expanded highway, so this is alarming  
19 to PKFN. So I'm speaking again to the developer's reasons to use the  
20 existing bridges.

10:37AM

21 In section 7.2.3.3, the developer states that the use of existing  
22 bridges will limit new effects -- for the purpose of being concise, I'll just  
23 say the purpose of using the existing bridges is to limit new effects and  
24 to prevent new disturbances and to keep construction costs lower.

10:37AM

25 ALAN EHRLICH: Jane, can you get a touch closer to your  
26 microphone.

27 JANE HENDERSON: Yes, how's this? I'm scared of the... okay, I'm

1 scared of the feedback but I'll risk it.

2 From the PKFN's perspective, they weren't consulted on the  
3 winter road condition location, they weren't constructed on the upgrades  
4 of the existing water crossings to continue -- to the winter road, and  
5 now those are requiring the highway to go in using that route. From  
6 PKFN's perspective, the winter road route and the existing water  
7 crossings go through some of the most sensitive locations in N'deh, and  
8 so to use the highway is to further cement those harms. So this is why  
9 PKFN consistently, since 2012, as shown in the PDR, has called for an  
10 alternate route outside the one-kilometre corridor. And so to use the  
11 existing route from PKFN's -- Alan, I pause because my brain is going  
12 in several directions because I'm not sure how freely we can speak  
13 between the different topics that are on, around here on the agenda.

14 ALAN EHRLICH: So look, the way I see it, government are used  
15 to compartmentalizing.

16 JANE HENDERSON: Yes.

17 ALAN EHRLICH: Regulatory processes often compartmentalize.  
18 Everything I've heard, most Indigenous groups looks at an  
19 interconnected world as it actually unfolds.

20 JANE HENDERSON: I know.

21 ALAN EHRLICH: I am fine with you connecting whatever issues  
22 you feel are proper connections. Don't feel bound into narrow silos  
23 here. Speak authentically for PKFN.

24 JANE HENDERSON: Thank you, once again Jane Henderson for  
25 PKFN. So the commitment to use the winter road as the all-season  
26 highway, even though that route was not ever designed for an  
27 all-season highway, it was designed to be a winter route, and given the

1 upgrades that seem to have been built into your design criteria to use  
2 that route, this all forecloses, from PKFN's perspective, meaningful  
3 consultation, meaningful mitigation, because of their consistent request  
4 that the route be moved outside the one-kilometre corridor. The  
10:40AM 5 question is, as required by the terms of reference, as required by  
6 legislation, GNWT must meaningfully consider alternatives to the route  
7 that consistently GNWT tells PKFN that they cannot consider any  
8 alternatives outside the one-kilometre corridor, that they would be happy  
9 to talk. This is a source of grave frustration. How can PKFN have  
10:40AM 10 confidence in your effects assessment, in your mitigation measures, in  
11 your cumulative effects assessments, when they don't consider  
12 anything outside the one-kilometre corridor?

13 ALAN EHRLICH: Thanks, Jane. GNWT.

14 SETH BOHNET: Thank you, Seth Bohnet, GNWT. Thanks for  
10:41AM 15 the question. So, again -- I shouldn't say again. The GNWT continues  
16 to work with the PKFN --

17 ALAN EHRLICH: -- sorry, Seth, I don't know what that was, but  
18 please go on.

19 SETH BOHNET: Sorry, folks, technical glitches.

10:41AM 20 So the GNWT is, and continues to, work with the PKFN on  
21 exploring where we can make adjustments to the proposed alignment  
22 that we've included in the developer's assessment report. We do have  
23 examples where engagement with other IGOs have helped us to make  
24 refinements to the alignment. Making alterations to that one-kilometre  
10:41AM 25 corridor, to expand it more broadly and widen it so that we can  
26 incorporate adjustments for areas of significance, we have proposed  
27 and continue to look to work with PKFN where we can to do the same.

1 ALAN EHRLICH: Thanks. PKFN, do have you more questions?

2 JANE HENDERSON: We have some questions about the evaluation  
3 of the inland alternative described in the DAR. This is Jane Henderson  
4 for PKFN.

10:42AM

5 ALAN EHRLICH: Go for it.

6 JANE HENDERSON: Okay. So a number of our questions are about  
7 the failure to consider an alternate route in a meaningful way. I would  
8 say we have one central question with about eight detailed questions to  
9 follow up on that.

10:42AM

10 So in section 7.2.3.3, the developer states that an alternative  
11 route [inaudible] evaluated and the GNWT concludes that the project  
12 route is on balance preferred to the inland route alternative. PKFN's  
13 question is how can the GNWT make this conclusion without a rational  
14 or quantitative evaluation of the inland route alternative which is  
15 required under the terms of reference in section 1.17 of the Mackenzie  
16 Valley Resource Management Act. And PKFN's perspective that there  
17 was not a rational or quantitative evaluation is what we set out in our  
18 subsequent questions but given the time constraints, I'm not sure if you  
19 want us to go through citation, citation, through where we see the gaps.

10:43AM

20 SETH BOHNET: Thanks again, Jane. I will ask Erica with Kalo  
21 Stantec to chime in as well.

10:43AM

22 ERICA BONHOMME: Erica Bonhomme. So the evaluation compared  
23 -- presented in chapter 7, section 7, is a comparative evaluation. It is --  
24 it does address the requirements of the terms of reference. It  
25 compares the two routes, one being a concept route simply because  
26 there is no, you know, line drawn on a map. The route was selected as  
27 based on the engagement feedback that was received during the

10:44AM

1 development of the project description reports for the -- the project  
2 description report for the Deh Cho region back in 2012 where, through  
3 engagement, through extensive engagement on the various  
4 optimizations of a route that would largely follow the winter road, there  
10:44AM 5 was input received on potentially having a route located five kilometres  
6 further inland. So the GNWT, without having any other information,  
7 selected a concept to evaluate. The level of information available to  
8 evaluate that route is a function of the fact that the winter road, and the  
9 current alignment routing corridor, has been extensively studied since  
10:45AM 10 the 1960s. It's been studied for a winter road. It's been studied for an  
11 all-season highway several times. It's been studied for a fiber optic  
12 cable. It's been studied for a pipeline. And so there just is a lot -- and  
13 it's accessible. And so there just is a lot of information available, a lot  
14 more than it is for a conceptual green field route five kilometres inland.

10:46AM 15 So the comparative evaluation is appropriate. It is based on the  
16 information that is available, and criteria that are presented in chapter 7.  
17 So I think if there are specific questions about, you know, the  
18 comparison in terms of individual criteria, we can delve into that too.

19 JANE HENDERSON: Thank you, Erica. This is Jane Henderson for  
10:46AM 20 PKFN. So getting into where PKFN sees gaps in that comparison, and  
21 I would say it seems certainly that on one side there is a lot of  
22 information and on the other side there is not a lot of information, and  
23 that's what hampered your comparison is what I'm hearing. But PKFN  
24 and the PDR very clearly called for a route five kilometres inland and  
10:46AM 25 has consistently called for that ever since then, and I forget the citation  
26 of the table -- I can find for you later -- but in one of the engagement  
27 tables there is at least nine calls for an alternate route located further

1 from the Deh Cho.

2 So the first concern PKFN has about the analysis of the alternate  
3 route, again I'm citing 7.2.3.2.1, the developer states that the inland  
4 route alternative did not have any terrain or engineering analysis  
5 completed. And PKFN requests why not.

10:47AM

6 ERICA BONHOMME: Erica Bonhomme. Again, as I said, it is suitable  
7 for a comparative evaluation. The GNWT did not do quantitative  
8 evaluation of a route. And I would also clarify that, again, the  
9 information that was available at the time of writing of the DAR to  
10 develop a concept route was based on, you know, some -- a mention, a  
11 casual mention of an alternate route. I would, I think, pass it back to  
12 Seth to indicate the type of capacity that has been provided to PKFN to  
13 further the development of something that, you know, may be -- may be  
14 of interest to explore through mutual engagement on resolving some of  
15 the issues that you maybe have mentioned.

10:47AM

10:48AM

16 SETH BOHNET: Thanks, Erica. Seth Bohnet, GNWT. So, yeah,  
17 to that point, the work that we have done with the PKFN over the last  
18 several years has included providing some additional funding for  
19 resources and technical expertise to both look at traditional land and  
20 resource use studies as well as explore PKFN's proposal for an  
21 alternative alignment. We have been working with PKFN to have that  
22 work completed. We understand that that work is now done. We are  
23 working to finalize some information and confidentiality agreements with  
24 PKFN so that we can receive that information, which we will fully  
25 consider as appropriate moving forward.

10:48AM

10:49AM

26 ALAN EHRLICH: I'll just tell Rhea McDonald from the Norman  
27 Wells Renewable Resource Council that we know she's in line to speak

1 next, but I just want to keep ongoing be Pehdzeh Ki because they're in  
2 the middle of something, and you're -- I will get to you after that. Jane.

3 JANE HENDERSON: Thank you, Alan. Jane Henderson from PKFN.

10:50AM

4 I would like to follow up on your comment, Erica, that there was a  
5 casual mention of an alternate route and so you were forced to make a  
6 conceptual analysis because that's all there was. I'm surprised.

7 As I said, when you look in the PDR, in the engagement table,  
8 there's at least nine requests for an inland route alternative. PKFN has  
9 consistently requested that since then. It's more than a casual mention.

10:50AM

10 And I would -- to respond to you, Seth, I suggest that it's not  
11 PKFN's responsibility to investigate the alternate route. It's GNWT's  
12 responsibility to investigate the alternate route. And in recent years,  
13 because this has not been done, PKFN has sought funding to take this  
14 on themselves.

10:50AM

15 I would like to continue asking questions about gaps in the  
16 analysis in the inland route alternative.

17 ERICA BONHOMME: Erica Bonhomme. I think it would also be

18 important that GNWT not make over -- over assume things that, you  
19 know, recognizing the importance of, you know, the information that

10:51AM

20 PKFN has to provide. So I think identifying a conceptual route is  
21 appropriate where there isn't additional information that, you know, has  
22 been gained. I think that there is a list of engagement that, you know,  
23 has happened as in ongoing, and I think what Seth has said is that the  
24 GNWT isn't dismissive of that. I think there's very much a willingness to

10:51AM

25 continue to identify the interests that PKFN have and identify the  
26 options going forward. Certainly, the work that -- some examples of  
27 that are -- as Seth mentioned, that, you know, we have worked with

1 other First Nations to identify optional route alignments where there has  
2 been a concern raised. And the alternate alignment that's presented in  
3 there is a, you know, snapshot in time. It represents the best  
4 information that we had available at that time. And the ongoing  
10:52AM 5 engagement that GNWT has committed to is, you know, a -- you know,  
6 demonstrates that there is the intent to move forward to resolve the  
7 concerns and interests that you've -- that PKFN have raised.

8 JANE HENDERSON: Jane Henderson, PKFN. Thank you, Erica.  
9 Going back to my very first question, the design criteria and the  
10:53AM 10 evaluation criteria prevent meaningful consideration of the inland route  
11 alternative wherever it may be drawn on a map because of the  
12 requirements to use existing water crossings and because of the  
13 requirement to use the existing winter road route. So it seems -- what is  
14 PKFN supposed to do with that? They have proposed this for many  
10:53AM 15 years and yet you said can't do anything outside the one-kilometre  
16 corridor or very occasional narrow widenings of the narrow corridor.

17 ERICA BONHOMME: Erica Bonhomme. The use of the existing  
18 bridges, as GNWT has said, is a -- you know, a question of, you know,  
19 significant investment in public infrastructure. But there is -- that  
10:54AM 20 doesn't mean it's not possible to identify options that do involve the use  
21 of that existing infrastructure while addressing some of the concerns  
22 that may have been raised. Perhaps a wholesale reroute of the entire  
23 alignment in the Deh Cho region isn't the only solution. I think that there  
24 would be -- there should be an opportunity to discuss that further and,  
10:54AM 25 you know, come up with a workable option that, you know, addresses  
26 the concerns as best -- as best as it can. But I think that that  
27 conversation may be hasn't happened yet.

1                   There are some significant bridges along that route and, you  
2 know, it would be not in -- I think in the best interest to look at, you  
3 know, demolishing those bridges. That's not, you know, I think  
4 something that GNWT is going to be in favour of. But they have noted,  
10:55AM 5 in one of the responses, that there are bridges that are, you know, may  
6 be more portable, that maybe do have a -- you know, a short -- that  
7 have not been part of the replacement and the -- you know,  
8 replacement of the infrastructure more recently. And those may be, you  
9 know, places to start where there are opportunities to look at options. I  
10:55AM 10 think it's, you know, important that that work just continue, to identify the  
11 options that may be most suitable.

12           JANE HENDERSON:       Jane Henderson, PKFN. Alan, I'm aware of the  
13 time. We have a number of questions that identify further gaps in the  
14 assessment of the inland route alternative. They are technical gaps  
10:56AM 15 from our perspective. I know there's other people in line to ask  
16 questions, and I ask for your view on how to proceed.

17           ALAN EHRLICH:           I'd like to hop around a bit to other people as  
18 well but I haven't missed that point, that you've got more to pursue on  
19 this. And we'll come back to you, okay.

10:56AM 20                   Rhea, online, I thank you for your patience because I know you  
21 also have a question. I felt like this has so far been quite a worthwhile  
22 discussion, conversation, but Erica points out about alternative routes  
23 should be had during the environmental assessment so that alternatives  
24 can be meaningfully considered by the Review Board not just in a  
10:57AM 25 superficial way, because there are many other potential impacts that  
26 relate to routing that are -- you know, could well be of interest to the  
27 board. That's the message there.

1 Over to you, Rhea, online, please go ahead.

2 Rhea, can you hear us? There is a chance here for the Norman  
3 Wells Renewable Resource Council to ask questions.

10:58AM

4 Rhea, if you can hear us, we can't hear you now but we can  
5 come back to you when we can get to you again.

6 Anyone else in the room have questions regarding road design,  
7 routing, access, and malfunctions or effects related to climate change.  
8 Gwich'in Tribal Council.

10:58AM

9 KANDA KOLA GNAMA: Thank you. Kanda Kola Gnama. I work for the  
10 GTC, Gwich'in Tribal Council based in Inuvik. Can everybody hear me  
11 okay in the room?

12 ALAN EHRLICH: Yes, Kanda, if you can get closer to the  
13 microphone that would help. And Martin, keep an eye on the folks at  
14 the back and they'll wave their arms if they can't hear. Thanks.

10:58AM

15 KANDA KOLA GNAMA: Okay, I take it again. Sorry about that. I am  
16 Kanda Kola Gnama. I represent the Gwich'in Tribal Council based in  
17 Inuvik. So I will ask some questions and Ruari Carthew online will  
18 follow up with other questions as well.

10:59AM

19 And our question, first, is about the project description. For  
20 construction activities, it is not clear from the DAR whereby this will  
21 mobilize from. Will they travel from the south to deliver construction  
22 supplies or come down from the north?

10:59AM

23 ERICA BONHOMME: Erica Bonhomme. The DAR recognizes -- the  
24 project description recognizes that the materials could be brought by  
25 barge or by winter road. It doesn't specify which direction that would  
26 come from.

27 KANDA KOLA GNAMA: Okay, we are asking that question because in

1 the original project description, on public record number 14 page 88,  
2 there was mention that -- that some point of origin may be from the  
3 north. An example was given, which was Little Chicago. So we want to  
4 know whether that will be considered during the construction.

11:00AM

5 SETH BOHNET: Thanks for the question. Seth Bohnet, GNWT.  
6 My understanding is that is from the original project description which  
7 had a larger scope and does not consider that the current project is only  
8 from Wrigley to Norman Wells.

11:00AM

9 KANDA KOLA GNAMA: Okay, thank you for that. Recognizing that the  
10 current cost of living and material supplies crisis in the Sahtu relates to  
11 barges being unable to travel to Norman Wells, how will barging be  
12 affected under climate change scenarios?

11:01AM

13 SETH BOHNET: Thanks for the question, Seth Bohnet, GNWT.  
14 So as outlined in the developer's assessment report, the staging and  
15 mobilization of materials will take advantage of the options available to  
16 us at the time. So barging is one avenue that can be cost effective to  
17 move materials to the project sites, but it's not the only option available  
18 to us. So winter road mobilization is also an option. So it will depend  
19 on the availability of barging at that time.

11:01AM

20 KANDA KOLA GNAMA: Okay, thank you. I will pass it over to Ruari  
21 online. Thanks.

22 ALAN EHRLICH: Thanks, Kanda. Ruari, please go ahead.

11:02AM

23 RUARI CARTHEW: Thanks, and thanks for the question. Yeah, a  
24 couple more questions on climate change scenarios, and they relate, I  
25 think, to the timeline in question, because the proposed timeline takes  
26 place over 20 years. There's a lot of alarming predictions about what  
27 will happen with the climate regarding temperature, precipitation, thaw

1 regimes and, as has already been mentioned this morning, we're  
2 already seeing a lot of issues with climate change. So with those  
3 predictions of rapid sort of undesired climate changes, curious if those  
4 have been built in to the consideration of the project timeline for the  
5 20-year sort of as-proposed versus the optimal timing that has been  
6 discussed. So that might include, for example, mobilization and  
7 resupply efforts. We've talked about the barging and also reduced  
8 winter operating season, for example.

9 ALAN EHRLICH: GNWT, is that -- are you guys clear on the  
10 question?

11 SETH BOHNET: I believe so, yeah. Seth Bohnet, GNWT. So  
12 just to sort of reiterate that the design that we -- or the project, as we've  
13 proposed and the construction schedule that we've proposed, does  
14 consider climate change impacts both on the ability to mobilize  
15 equipment and construct the project. We have, again, projected the  
16 construction window out over 20 years to allow us to, again, advance  
17 each segment in its own construction window with its own regulatory  
18 processes. That should allow us to adjust to any changing -- or climate  
19 change impacts at that point in time. As well, climate change itself is  
20 factored into the -- or will be factored into design of the road itself. So  
21 there are potential impacts there that have been included in the DAR.

22 RUARI CARTHEW: Thanks, so I'll just have a quick follow up on  
23 that because one of the changing pressures for the project, and the  
24 speed of the project, relates to sort of climate change implications and  
25 wanting to stave those off by having a more reliable transport corridor,  
26 how does the socio-economic factors influencing -- influenced by  
27 climate change that are already being seen, have those also been

1 factored into the consideration of a 20-year timeframe versus the  
2 reduced one?

11:05AM

3 SETH BOHNET: The socio-economic impacts and the  
4 mitigations we've proposed are predicated around the proposed project  
5 schedule, the 20-year timeframe. There hasn't been any more detailed  
6 assessment on project impacts with relation to the alternative  
7 construction schedule that has been proposed as that is a recent  
8 development.

11:05AM

9 RUARI CARTHEW: Thanks. That's good for me for now. Thank  
10 you. And that's Ruari Carthew.

11 ALAN EHRLICH: Thanks a lot, Ruari. It's good to see you. Now  
12 Rhea, are you still online? Do you still have a question?

13 Okay, we don't have -- oh, we do.

11:06AM

14 RHEA McDONALD: Yeah, I'm still am online. I would like to wait a  
15 little bit to ask my question, if that's all right.

16 ALAN EHRLICH: No, that's just fine. Yes, Łídlıı Kúę First  
17 Nation had a question.

18 THE COURT REPORTER: Can you report that, something cut out.

11:06AM

19 ALAN EHRLICH: We're just sorting out a technical microphone  
20 issue.

21 They're saying good at the back.

22 We can hear but we've lost the feed. The feed is working on our  
23 Zoom; it's just not on the monitors in the room so we are going to  
24 continue. Dieter, please go ahead.

11:07AM

25 DIETER CAZON: Thank you. Dieter Cazon, Łídlıı Kúę First  
26 Nation. The Łídlıı Kúę First Nation was not originally consulted on  
27 this project. The Nation is concerned that the project is incomplete  
without

11:07AM 1 the inclusion of meaningful advancement of bridges given the  
2 increasing time frames associated with freeze up, break up, forest fires,  
3 and other circumstances from climate change, and the intensity of  
4 those change and issues related to reliability of ferries, LKFN is  
5 concerned that the Mackenzie Valley Highway could be a dead end  
6 which could be fa critical issue in the event of an emergency  
7 evacuation. What will the GNWT do to support advances to advancing  
8 these meaningful components?

11:08AM 9 SETH BOHNET: Thanks for the question. Seth Bohnet, GNWT.  
10 So to be certain, the project as proposed in the developer's assessment  
11 report has always been, and continues to be, an all-season access  
12 road, so it fully considers that there are shoulder seasons where there  
13 will not be access still when ferries are not running and/or ice roads are  
14 being constructed, so that is already fully incorporated into the current  
11:08AM 15 project. The reference to other projects outside the scope of the  
16 currently proposed project would need to be dealt with outside the  
17 scope of this project.

18 ALAN EHRLICH: Dieter.

11:09AM 19 DIETER CAZON: Yeah, so the context for those questions were in  
20 regards to a possible bridge over the Mackenzie Valley -- or Mackenzie  
21 River between Pehdzeh Ki and Łífdlǰ Kúé and also a bridge over the  
22 Liard River near Fort Simpson. Speaking about the bridges, will any of  
23 the existing bridges need to be updated during the construction period  
24 of the road?

11:09AM 25 ALAN EHRLICH: Seth.

26 SETH BOHNET: I don't believe any of the bridges that are within  
27 that portion of the alignment require any current or immediate upgrades.

1 That will happen during construction of the Mackenzie Valley Highway.  
2 There will be potential earth works around approaches to and from  
3 those bridges.

11:09AM

4 ALAN EHRLICH: Dieter, are these answers getting to the heart of  
5 what you want to know about, or is there a way to sort of ask them in a  
6 different way that might be able to dig into the information you're looking  
7 for?

11:10AM

8 DIETER CAZON: Dieter Cazon. I think we're elaborating on  
9 some of the other questions that other communities are having with  
10 regards to climate change and other factors that could affect the  
11 communities up and down the Mackenzie Valley.

11:10AM

12 ALAN EHRLICH: Yeah, if get your point correctly, for the  
13 Mackenzie Valley Highway to be an all-season highway, it needs to be  
14 accessible but you can only access it via the ferry at Liard and the ferry  
15 at Wrigley, so what you're saying is water fluctuations and things like  
16 that that are coming up with climate change, how do they propose to  
17 deal with that vulnerability; is that sort of it?

11:10AM

18 DIETER CAZON: Dieter Cazon. Yeah, that's more the direct way  
19 of getting to where we're trying to have the conversation get do. Some  
20 of the aspects of the project that we're worried about is specifically  
21 climate change. Last year the ice bridge didn't open until  
22 December 19th, and it came out the earliest I think it did ever come out,  
23 like, the beginning of the second week of October. So that was, like,  
24 several months without any access. And that's just on the shores of  
25 climate change and the late freeze up and not being able to build ice  
26 bridges quickly.

11:11AM

27 ALAN EHRLICH: If I can ask you a question from your vantage

1 point with LKF, and we know that the route was originally described  
2 back when we started the EA, I think it was 2012 or '13, I can't  
3 remember, but along the existing winter road route. But since then, as  
4 we've heard, every year has been progressively warmer due to climate  
5 change unfolding a bit quicker. Can you just describe what you've seen  
6 in terms of permafrost changes as you go up the valley as each year  
7 progresses. I know that you have had a front row seat for a lot of that.

8 DIETER CAZON: LKFN, we're still working on putting in our  
9 technical, our TK findings, but we're just waiting for some licensing  
10 conversations between GNWT and LKFN -- good times. But besides  
11 that, some of the changes that we've seen, gees, over the last 15 years  
12 in regards to issues with climate change and permafrost thaws, the  
13 forest fires, the ground being excessively dry over the last several  
14 years, changes to dynamics to wildlife habitat, changes to wildlife, birds,

15 insects, fish, concerns with invasive species. So there is a litany of  
16 changes that can be attributed to the changes that we're seeing. And  
17 one of the things that LKFN has some issues with -- or we do have  
18 issues with is with the late engagement that LKFN had with this. We  
19 weren't able to prioritize the building of like those two bridges that would

20 help off set some of the problems that we've been seeing other the last  
21 few years, again, with the ice bridges, with the ferry services being  
22 disrupted during summertimes when the ferry's shut down because the  
23 water's too low, never mind the fact that you can't use the barges  
24 anymore on the river. And like it's hit or miss if you can do any barge  
25 work, period. So it's just one of those things, it's like how does a project  
26 gain the traction it's going to need going forward without the support of,  
27 like, major infrastructure investment such as bridges that would

1 accommodate the work that would need to be done across the Liard  
2 and across the Mackenzie between Simpson and between PKFN and  
3 LKFN.

11:14AM

4 ALAN EHRLICH: Thanks, and from a road construction  
5 perspective, permafrost is a pretty important item. Could you just talk  
6 about what you have seen permafrost-wise over the last few years.

11:14AM

7 DIETER CAZON: Dieter Cazon LKFN. In regards to permafrost,  
8 the changes that we're seeing is like the lands and size of the rivers is a  
9 good one. Sink holes, changes to peat bogs and those kinds of areas  
10 where there's more flooding or less flooding and how those changes  
11 and dynamics are affecting moose habitat and caribou habitat, so  
12 subsistent species of throughout the Nehendah used through all their  
13 lives. So that's one of the things that's a issue of concern is like how is  
14 these things going to affect the highway. Concerns are also brought up  
15 would be comparisons to like the road to Tuk, like how that was just  
16 kind of pushed through too quickly and they're having issues with  
17 permafrost thaw and how the flooding things are affecting that particular  
18 highway. We don't want to see those things attributed to this highway  
19 going between PKFN and up to the Sahtu.

11:14AM

11:15AM

20 ALAN EHRLICH: Okay, thanks for that. I'm just asking because  
21 I'm thinking about the question from PKFN earlier about using the  
22 existing route for a winter road which, of course, the winter road route  
23 was chosen several years ago and a lot of climate change has  
24 happened faster than people expect, including changes to permafrost.  
25 The thing I'm thinking is if was designing a route for a winter road, I'd  
26 pick a route that's ideal for winter. In frozen conditions. I wouldn't mind  
27 going through low lying or wet areas because it's the middle of winter,

11:15AM

11:16AM 1 they're not going to feel very wet in minus 30. But if I was designing an  
2 ideal route for an all-season road, I might have different design  
3 considerations than just where we already have a winter road because I  
4 imagine there might be advantages to less permafrost-rich soils based  
5 on the kinds of things Dieter has just described. And based on the  
6 upland route that we all heard very clearly in Wrigley a month ago, and  
7 that the people who know the area very well because they've spent so  
8 much time on the land in the area and know the soil well, are  
9 suggesting requires serious consideration for an alternative route.

11:16AM 10 Dieter mentioned the Tuk road. I believe he's alluding to the fact that  
11 ongoing maintenance has proven very challenging and that failures of  
12 that road, it's difficult for people in Tuk because they're all set up for  
13 road access and when you lose road access, it's a problem. So what  
14 I'm wondering is when it comes to route selection for ideal all-season

11:16AM 15 road design -- I hear what you're saying about wanting to avoid the  
16 additional impacts when you already have a disturbed corridor. But how  
17 have you considered the characteristics of an ideal winter road when  
18 you were choosing the preferred route from a perspective of long-term  
19 maintenance, potential failures, cost of maintenance, remembering that

11:17AM 20 maintenance is going on indefinitely, right. I get that there are costs to  
21 moving bridges too, I'm not like oblivious to that. But can you just talk a  
22 bit about how you guys have weighed that out and processed that and  
23 thought about it? Because it seems to me like it's a threat that connects  
24 the things that we've heard about this morning.

11:17AM 25 SETH BOHNET: Thanks for the question, Alan. Seth Bohnet,  
26 GNWT. So at a very broad and high level, I will reiterate again that the  
27 final design of the road is not yet complete. So we have proposed, and

1 as outlined in the DAR, that we would have fluctuation and variability  
2 within the corridor that is outlined. We have already highlighted, and I  
3 spoke earlier about, there are areas within there that are going to  
4 require some modification and deviation from the existing road to  
11:18AM 5 accommodate factors such as, you know, bogs, water sensitive areas.  
6 There is flexibility still to make modifications that will come out through  
7 the final design. I'll pass it over to Kalo Stantec quickly with a little bit  
8 more detail than what we have available and have outlined.

9 ERICA BONHOMME: Thanks, Seth. Erica Bonhomme. Alan, you  
10 touched on a lot of different things there in your preamble. Permafrost  
11 in and of itself is not a constraint for road design based on the -- what  
12 we know of the location of the alignment routing corridor. There isn't  
13 anything that the design team so far is aware of that would provide any  
14 constraint to a design. Any road will require maintenance. That's an  
11:19AM 15 ongoing balance between how much you put into the design upfront and  
16 therefore increase the costs. Or how much you defer to the long-term  
17 maintenance.

18 Inuvik-Tuk Highway isn't a great example to compare to because  
19 the design principle for that road is different from what the Mackenzie  
11:19AM 20 Valley Highway would be, which is located in a warm and discontinuous  
21 permafrost. The GNWT fully expects that permafrost will continue to  
22 degrade over time, become more sporadic, and therefore the highway  
23 is not designed to mitigate for or to protect permafrost. It's to avoid  
24 areas of sensitive soils, and that's very different. And so based on the  
11:20AM 25 current -- the route selection, there are no constraints that have been  
26 identified and the design team feels that route changes can be  
27 accommodated within that one-kilometre corridor or, as I said previously

1 to Jane, that, you know, we feel that there's definitely opportunity to look  
2 at options where, you know, it makes best sense, all things considered,  
3 to make a route adjustment. I'm just going to offer an opportunity to  
4 Walter if he wants to add anything to that from a design perspective.  
5 I'm not a road designer by the way.

11:21AM

6 WALTER ORR: Walter Orr here, Kalo Stantec. I'll just add a  
7 few comments and clarifications or extensions.

8 The -- in terms of the current winter road alignment, I think it  
9 needs to be clear that that alignment didn't just show up. It was based,  
10 in fact, on, as Erica mentioned, previous work that had been done for  
11 an all-season road corridor back -- dating as far back as the '60s. And  
12 when you look at the previous work, the winter road in fact was informed  
13 by that and located with that.

11:21AM

14 Jumping ahead to when the PDR work was done on the Sahtu  
15 and the Deh Cho segments, in all of -- both of those cases -- and I was  
16 involved hands-on in a lot of that -- the winter road was evaluated and  
17 determination was made resulting in the PDR alignment, and now the  
18 current issued for environmental assessment alignment, to move that --  
19 the alignment into an area where the constraints of the winter road,  
20 which were mentioned in terms of boggy terrain and potentially running  
21 over lakes -- this is not an issue with this one -- but those constraints  
22 were evaluated and the current alignment was chosen to avoid those  
23 constraints while maintaining the -- if there's an area of the winter road  
24 that the ground conditions were favourable and the alignment conditions  
25 were favourable, maintaining a similarity to the winter road to minimize  
26 disturbance. So these certainly -- that was evaluated in preparing the  
27 alignment. So that is something that needs to be clear, that it wasn't

11:22AM

11:22AM

11:23AM

1 just let's follow the winter road. The winter road was evaluated for  
2 ground conditions and other conditions which impact an all-season  
3 highway, an all-season road.

11:23AM

4 ALAN EHRLICH: Thanks. And that was originally in the '60s, and  
5 then you said when the PDR was prepared, so a decade ago, right?

6 WALTER ORR: Or, prepared. The PDRs were prepared initially  
7 in I think it's 2010 and '12.

11:24AM

8 ALAN EHRLICH: Okay, thanks for that. And Erica, I hear your  
9 answer that there are alternative routes, you said, within the right of  
10 way -- sorry, what's the word -- within the one kilometre range, and what  
11 I think I heard PKFN asking about is for a meaningful evaluation of  
12 alternative routes beyond the one-kilometre. So I just don't want those  
13 two ideas to be mixed up, because they're different. Okay, thank you  
14 for that.

11:24AM

15 Now, I'd like to get a question from Fred Andrew with the Tulita  
16 Renewable Resource Council. Thanks.

11:25AM

17 FREDERICK ANDREW, JR: Hello. My name is Frederick Andrew Junior,  
18 with RRC in Tulita. I have a question for you guys over there. I just  
19 want to know that I understand that you -- it's going to take a completion  
20 of Mackenzie Valley Highway for -- looking at three years or 10 years; I  
21 just want to know that.

11:25AM

22 SETH BOHNET: Seth Bohnet. Yes, I can confirm that what's  
23 currently proposed is that it would take us 10 years of active  
24 construction over a period of 20 years to complete the road. That's  
25 what's being proposed in the DAR.

26 FREDERICK ANDREW, JR: I have a same question dating in '60, up to  
27 know. There is a lot change I see and it's concerned me. Back in '60,

1 they did a -- they want to have communications through phone from  
2 down south here, I think it's from the Gwich'in -- or Wrigley. So they did  
3 that -- a survey. They called a recognizance, I think, by air. At the time  
4 there's no technology so they were flying with low level with 172 from  
11:26AM 5 Wrigley, Blackwater, all the way down to Inuvik. That was called CN  
6 line, CN line. They were building a tripod, and they wired all the way  
7 down to Inuvik. And now at that time was a really, really, really cold,  
8 cold all the time. And then back in '72, they started -- they started  
9 company based out of Fort Simpson. It's called Higher North. The  
11:26AM 10 reason they call it Higher North is because the one -- all the native  
11 people up north they know the land good so they're using a First Nation  
12 operator to work on the -- on the winter road. But first we have from  
13 Blackwater, we slashed all the way down to Norman Wells. That's, you  
14 know, for winter road, back in '72. I was the one that worked with them  
11:27AM 15 too, I was with Hire North. I slashed from Blackwater all the way to  
16 Norman Wells. That was well over 50 years ago. And until -- at that the  
17 time now, now that we are into climate change, it's a lot impact. Things  
18 change big time. There was a time when there was slashing from  
19 Blackwater to Polar Basin Creek until finish -- I finished all the way for  
11:28AM 20 them for winter road. And now I'm 74 years old, after half a century,  
21 and I'm still sitting here around a table and still discussing about this  
22 Mackenzie Valley Highway. At the same time, I see those big change,  
23 big time. Especially in regards to climate change. And even more  
24 impact. The reason I say this because I'm from Tulita, and that's where  
11:28AM 25 all that impact take place, right through my hometown, to Wrigley in  
26 Sahtu region. I should be the one that really had a concern and  
27 speaking on this table here because I grew up on the land, and I went to

1 residential school four years in Inuvik. Came back and went back on  
2 the land. And I think it's over close to 60 years ago now. A lot of you  
3 guys are looking at 10 years to 20 years period of time for completion of  
4 this Mackenzie Valley pipeline -- I mean, highway. Right now, the  
11:29AM 5 impact on Sahtu region, Tulita and Norman Wells, especially Norman  
6 Wells because of -- we used to have a winter road, it lasted longer but  
7 now with climate change it don't last long. Especially from Tulita to  
8 Norman Wells, you have to go on the ice road to cross Bear River  
9 because the bridge is not there. And that one there we might have only  
11:29AM 10 -- because of climate change and global warming, it's approaching  
11 really fast, so. If we're lucky, we probably have like two months from ice  
12 crossing to Tulita and Norman Wells. Because beyond that, Good  
13 Hope and Colville Lake, and Norman Wells, they're all went down to do  
14 their shopping because there's only chance that they do shopping it's on  
11:30AM 15 the winter road and it's not very much time on the winter road. After  
16 that, it's -- that's it. And because of permafrost, everything is impact big  
17 time. And right now, the cost of living, it's rising really bad and we  
18 isolated in the Sahtu community with no -- no year-round, and  
19 everything is flied in but it's really, really expensive. And here I'm sitting  
11:30AM 20 here listening to you guys and you guys are living looking at another 10  
21 to 20 years time. Maybe at that time, you know, things might get even  
22 worse with cost of living and -- I don't know. We need this highway  
23 pushed really fast. I know it's easier said than done. But, you know,  
24 back in the early 2007 when we -- there was Husky Oil came, and they  
11:31AM 25 hit a big time -- big struck in gas and oil in the Stire Lake (ph) right  
26 across Mackenzie Mountain right across from Norman Wells,  
27 Conoco-Phillips and Husky Oil Energy, and Esso, and MGM. There's a

1 big time oil deposit there but they cap it off. I don't know why. They  
2 said we'll come back later, 15, 20 years. But to me, what I'm thinking is  
3 they went -- the project is already there. Norman Wells to Zama.  
4 They're just sitting back and waiting for Mackenzie Valley Highway to  
11:32AM 5 open. But I think the issue here is I think it's funding, I don't know.  
6 When you guys doing your expertise in regards to impact and climate  
7 change and all that. I understand that. So if there is a funding issue,  
8 then maybe we should look at those oil company who can help us build  
9 that highway because they got oil reserve there, it's big time, and  
11:32AM 10 they're just waiting for it. That's what I'm looking at it right now. But  
11 what I'm saying here is the longer we wait, I don't know how much of the  
12 climate change is going to impact us. Because I live all -- I was born in  
13 Tulita. I live all my life, and that's where the impact's happening now.  
14 And with Mackenzie Valley Highway. So I will -- well, maybe I'll talk  
11:32AM 15 some more later. I just wanted to say that. Mahsi.

16 ALAN EHRLICH: Thank you very much for that, Fred. Thank you  
17 very much for what you said.

18 GNWT, do you have any comment on that, or do you just want to  
19 take that under advisement?

11:33AM 20 SETH BOHNET: No comment at the time.

21 ALAN EHRLICH: Okay, thanks. So I want to go back to LKFN. I  
22 believe Dieter had other comments, and also Trieneke. I apologize if  
23 I've messed up your name, but -- also with LKFN, but Trieneke's online  
24 and how you guys want to divide up the questions, up to you. And after  
11:33AM 25 that, we'll go back to PKFN because I remember you guys have more.  
26 And after that, I'm interested if Transport Canada wants to weigh in on  
27 any of this, Scott.

1 So let's less start with LKFN again.

11:34AM

2 DIETER CAZON: Dieter Cazon, LKFN. Just the previous  
3 comment to -- not to take away from Fred in any aspect of what he was  
4 just conversing about, I too have very similar experience. When I was  
5 16, 17, 18, I fought forest fires in the entirety of the Deh Cho and all the  
6 way up to the Sahtu. And so I've seen the effects of climate change  
7 and what it looked like back in the early/mid '90s to what it is now.  
8 There is definitely drastic changes in the land. So just speaking  
9 contextually on that, like within the next couple of days our permafrost  
10 expert Elise Dubois will actually be commenting and having remarks in  
11 regards to permafrost and process in regards to the building of the road  
12 and where road placement is going to be.

11:34AM

13 ALAN EHRLICH: Thanks. Trieneke

11:34AM

14 TRIENEKE GASTMEIER: Sure. Trieneke Gastmeier for LKFN. So just to  
15 go back to what Dieter was mentioning previously, so, yeah, I just  
16 wanted to reiterate before I asked my question, I just want to reiterate  
17 the critical importance of the fact that LKFN was not originally consulted  
18 for the first several years of this project, which is a discrepancy on the  
19 part of the GNWT for not noting -- for not knowing to directly consult  
20 with LKFN on this project and that the concern regarding the lack of  
21 inclusion of the Liard and Mackenzie bridges in this project is very  
22 significant for LKFN and is directly related to climate change along with  
23 a number of other concerns related to the inclusion of these bridges.  
24 So as Dieter was mentioning, you know, with the increase in the  
25 intensity of forest fires, with the lack of reliability of the ferries, with the  
26 increasing length in shoulder seasons and unpredictability of shoulder  
27 seasons, there is the possibility that, you know, in the event of an

11:35AM

11:35AM

11:36AM 1 emergency evacuation this poses serious concern. The road is not --  
2 does not have year-round access and had LKFN been involved in early  
3 consultation, this would be something that LKFN would have pushed for  
4 and so, yes, we're looking for creative solutions here in regards to the  
5 bridges.

6 But a separate question that I have specifically in regards to  
7 design is how far or how final of a design is anticipated to be created  
8 within the environmental assessment process for the roads -- for the  
9 road? Like, how close to the specific alignment do you anticipate  
10 getting to within this environmental assessment rather than under  
11 permitting?

12 ALAN EHRLICH: GNWT.

11:37AM 13 ERICA BONHOMME: Thanks, Trieneke. Erica Bonhomme. The road  
14 that -- the alignment that you see in the map book -- so that's -- so I  
15 think everyone was made available the electronic files. I believe the  
16 Review Board has those if you want to pop them on Google Earth or  
17 GSI Earth or if you have your own way of visualizing that. But there are  
18 paper -- the print copy is available in Map Book 5A and that's a 1 to  
19 10,000 scale rendering of the alignment route and corridor, all of the  
11:37AM 20 potential quarries and borrow sources, and that alignment routing  
21 corridor, which is a one kilometre wide corridor -- wider in certain  
22 places -- is based on a route that is a very early level of design. So that  
23 route that you see on those map books is based on applying the  
24 horizontal design criteria for the standard of highway that's being  
11:38AM 25 proposed as based on, you know, desktop imagery. So available  
26 imagery, available LiDAR. It does not take into account, you know, any  
27 geotechnical information. It does not, you know, take into account any,

1 you know, site specific constraints. But it is a feasible route.

2 What has been stated is that the road, the final alignment, as the  
3 design progresses, will -- can be, you know, may change within that  
4 alignment route and corridor. And in some cases may go outside. So  
5 there are options that have been identified. For example, there's an  
6 alternate. There's a route option identified around Bear Rock, Petniya  
7 (ph). And so at this stage of the environmental assessment, we're  
8 interested in establishing that alignment routing corridor, which is based  
9 on a very preliminary level of design for a highway. And as the design  
10 progresses, which won't be during the environmental assessment, that  
11 actual road alignment may change based on the more -- the more  
12 technical data that's collected and additional engagement and whatnot.

13 ALAN EHRLICH: Thanks, Erica. I'm not sure if I understand. If I  
14 heard you right, you guys haven't done the geotechnical investigation  
15 yet for the proposed route. So you know, the board, among other  
16 things, is going to consider the characteristics of the proposed route  
17 and the suitability, which, obviously, geotechnically matters a lot, when  
18 weighing it against an alternative route such as the one PKFN is  
19 suggesting might be appropriate. Are you guys planning to have done  
20 the geotechnical investigation before the end of the environmental  
21 assessment before the board needs to make a decision on this?

22 ERICA BONHOMME: Erica Bonhomme. No. The highway -- the  
23 design parameters and objectives, as listed section 5.2.2, are an  
24 RAU90 design, use the winter road alignment as much as possible, tie  
25 into the existing winter road bridges, optimize use of borrowed sources,  
26 et cetera. So the preliminary design that is being proposed right now  
27 meets those criteria and offers opportunity to adjust the highway design

1 alignment within the 1 kilometre corridor.

11:41AM

2 ALAN EHRLICH: So is the idea within the one-kilometre corridor,  
3 the geotechnical won't be a big enough constraint to require looking at  
4 alternatives? It just seems to me that geotech is a pretty important  
5 consideration in highway design, isn't it?

11:41AM

6 ERICA BONHOMME: Erica Bonhomme. Yes, but it doesn't constrain  
7 us outside of that one-kilometre corridor. So there a few locations  
8 where it might so we've expanded that to three kilometres at the bridge  
9 crossings. Maybe I'll just pass it on to our road engineers, because  
10 maybe they can explain this a bit more eloquently than I can. So either  
11 Walter or Ed, do you want to comment?

12 I'm going to pass it over to Walter.

11:42AM

13 WALTER ORR: Walter Orr here. Yeah, in terms of the -- the  
14 role of geotech, and as you note geotech is important and in some ways  
15 critical on a final design. The way it informs routing is less critical and  
16 allows us to move that into the detailed design phases. As an example,  
17 it informs us in this area, the ground, the soil conditions, are soft. We  
18 need to have a higher embankment to spread the load of the road out.

11:43AM

19 We're a -- if we're in for instance a bedrock location -- that's not a big  
20 issue here but the road embankment can be lower and have -- because  
21 the underlying subgrade is stronger, the place where the geotechnical  
22 investigation is going to inform the detailed design on this project is  
23 largely at the places where we approach crossings wherever those  
24 crossings are. The bridges locations are in areas where you have fairly  
25 incised valleys. So we have to go down these slopes to these incised  
26 valleys. The slope stability and the ability to potentially reuse cut  
27 material is subject to geotechnical investigations. So right now, the line

11:43AM

11:44AM 1 that we're showing is a center line of that corridor is informed by  
2 geometry but not informed by geotech. And as Erica mentioned, that  
3 line in the detailed design phases will almost certainly vary within that  
4 corridor based on things. Geotechnical is one of those things of how it  
5 would vary.

6 ALAN EHRLICH: Okay. So if I understand correctly, you're  
7 saying geotech matters but within the corridor, you should be able to  
8 wriggle around areas that need designing around, based on that?

11:44AM 9 WALTER ORR: Yes, basically that is the case. As she  
10 mentioned as well, in certain areas where that corridor has been  
11 expanded to allow more room for movement.

12 ALAN EHRLICH: I see. Okay, thanks for the answer. We have  
13 more of this topic for after lunch. Right now our day ends at 4. I have a  
14 sneaky suspicion that 4 is going to look a lot more like 5. But I want to  
11:45AM 15 break for lunch now because we're surrounded by restaurants and if  
16 you get there now and order, you'll get your food a lot faster than  
17 anyone else who is going to fill the place at noon. And then I'd like to  
18 come back an hour from now. Can we make it back at 12:45? You've  
19 got a leg up on everyone else ordering. Is an hour enough? If it isn't,  
11:45AM 20 please say so now.

21 In that case, let's reconvene at 12:45. Thank you, everyone.  
22 And we're just going to continue this subject because we know there will  
23 be more questions on this. Thanks.

24 -- NOON ADJOURNMENT -

12:53PM 25 ALAN EHRLICH: Okay, thanks, everyone. Thank you for coming  
26 back on time after a slightly reduced lunch. We are trying to make sure  
27 that we can make most of the time where we have everyone in the

1 same time and place. And so I wanted to go back to LKFN which was  
2 in the process of asking questions before we broke for lunch. And  
3 LKFN has a follow-up to one of the questions it asked earlier. Should I  
4 direct that to -- and so Trieneke, that's to you.

12:54PM

5 TRIENEKE GASTMEIER: Great, thank you. Trieneke Gastmeier for  
6 LKFN. Yeah, this is just in response to the question we asked  
7 regarding how detailed the alignment will be under the environmental  
8 assessment. And so this is just kind of a statement to that effect, that  
9 LKFN has a number of significant outstanding concerns relating to  
10 permafrost and the proposed one kilometre buffering alignment area  
11 and that we would like to have these concerns addressed under the  
12 environmental assessment rather than under permitting. And so that  
13 will probably, from LKFN's perspective, require a much more detailed  
14 alignment of the road under the environmental assessment.

12:55PM

15 ALAN EHRLICH: So could you just paraphrase the question  
16 again, Trieneke.

12:55PM

17 TRIENEKE GASTMEIER: Trieneke Gastmeier for LKFN. This was not a  
18 question. This was just in this response to the prior question I had  
19 asked around the -- how detailed the alignment of the road would be  
20 under the environmental assessment and the GNWT responded, and I  
21 was just responding to their response.

12:55PM

22 ALAN EHRLICH: Thanks. And with respect to what you said, I  
23 mean, that -- it does make sense because when you're in regulatory  
24 processes after the environmental assessment, there are certain things  
25 regulators can do but they -- I do not recall them ever requiring use of  
26 an alternative to the proposed project. Sometimes they can find certain  
27 alternatives within the proposed project, but big changes like alternative

12:55PM

1 routing and that kind of thing are much more what happens during the  
2 environmental assessment. So coming up with details for that after the  
3 fact is not really productive except for the details that regulators need to  
4 deal with.

12:56PM

5 I have a question for the GNWT. You've mentioned geotechnical  
6 is one thing that could get you to consider routing outside of the one  
7 kilometre range. What other kinds of considerations would get you to  
8 consider using an alternate route outside of your corridor?

12:56PM

9 ERICA BONHOMME: Erica Bonhomme. So to just to clarify a couple  
10 things. The route -- and maybe just a follow-up to Trieneke's earlier  
11 question too, and that exchange is that, you know, ground conditions  
12 along the one-kilometre corridor are pretty well understood. We have  
13 previous information from, like I mentioned -- a lot of desktop work has  
14 been done since the 1970s. The geological survey of Canada has  
15 provided comprehensive mapping. The project team has done their  
16 own really detailed terrain and surficial mapping and as well as bedrock  
17 geology mapping, and that's all provided in the appendices to chapter  
18 14. So, you know, we have actually a really good understanding of the  
19 ground conditions along that one-kilometre corridor, and the

12:57PM

20 geotechnical work that will be done is really there to verify the soil  
21 conditions in very specific locations. And Walter mentioned, for  
22 example, that crossings is one place, approaches to existing bridge  
23 crossings where there might need to be, you know, road cuts or other  
24 alternatives considered. We need to do geotechnical work at borrow  
25 sources and quarries to confirm the probable volumes that have been  
26 reported.

12:57PM

12:58PM

27 I think engagement has a really important role to play in selecting

12:58PM

1 the routing corridor and as I've mentioned previously, it's been  
2 presented in the DAR. The GNWT has come up with options based on  
3 engagement input, and the routing option around Bear Rock was a  
4 good example of that. We've more recently done some routing work  
5 with the Tulita Renewable Resource Council on an area of concern they  
6 had north of Big Smith Creek, and there is opportunity during the  
7 environmental assessment, on the timeline that we have, to look at  
8 options. And the GNWT is very much willing to look at options where  
9 they're reasonable, and that involves a dialogue, that involves  
10 engagement, that involves, you know, understanding the concerns and,  
11 you know, sitting down at the table or going out in the field and looking  
12 at what the reasonable options are to that.

12:59PM

12:59PM

13 In the case of the Bear Rock alignment, that route was  
14 selected -- an option was selected based on the significant concerns we  
15 had from community members around the traditional and spiritual  
16 significance of Bear Rock, and so we worked with them on identifying  
17 an option that took a route two kilometres further to the north.

01:00PM

18 At Big Smith Creek, there was an area where community  
19 members had a concern about being too close to the river, and we -- we  
20 are currently working on an option that is outside of that, and that  
21 information will be presented to the board in a short order here, for  
22 consideration in the environmental assessment.

01:00PM

23 So, you know, I think that there is certainly along what -- like I  
24 said, we're pretty confident in the geotechnical work, the terrain  
25 conditions, everything that aligns us to those design objectives that  
26 have been presented and the corridor that's been selected, but there is  
27 most definitely opportunity to -- within reason -- address community

1 concerns or at least work towards addressing community concerns  
2 where there are other reasons for presenting something different.

01:01PM

3 ALAN EHRLICH: Thanks, Erica. That helps. So I think I heard  
4 you emphasize that engagement is one of the ways that you would  
5 figure out alternatives to the corridor that you would be open to  
6 considering during the environmental assessment and then some  
7 specific examples you gave included cultural use.

01:01PM

8 I'm wondering if the road -- the route is the route of the winter  
9 road. Presumably the route of the winter road doesn't necessarily have  
10 to reflect cultural use of the area in the open water season for example,  
11 you know, like, harvesting in the area because it's the winter road;  
12 you're not doing much during the opening season, there's not a lot of  
13 activity, or the ecological -- or the ecology that's happening during  
14 outside of winter, right. I presume those were not big factors in  
15 choosing a route for a winter road because there's almost no activity  
16 happening during those seasons. So seasonal considerations,  
17 including cultural ones. But I imagine for an all-season road, these  
18 things becomes real consideration. Are those the kind of things that  
19 would lead you to consider an alternate corridor?

01:02PM

01:02PM

20 ERICA BONHOMME: I mean, not necessarily. That's one of a lot of  
21 considerations. You know, I think the GNWT has listed a lot of other  
22 considerations that go into it. You know, existing -- I don't think it can  
23 be understated the importance of existing infrastructure and minimizing  
24 environmental impacts. The fact that there is already an existing  
25 disturbance there -- and multiple disturbances if you look at the fiber  
26 line and the Enbridge pipeline are existing disturbances that help to  
27 lessen the overall impact of adding an additional right of way to that

01:03PM

01:03PM 1 area. And I know we'll get into it specifically with respect to caribou in a  
2 bit. But that is not -- shouldn't be understated. So all these things  
3 together need to be considered. There is not, you know, one  
4 consideration that is simply, well, it's dryer ground over here and  
5 therefore it's better to put a road there. That's not -- it can't be looked at  
6 in isolation of all of these other factors.

7 ALAN EHRLICH: Okay, thanks. Catherine Fairbairn has a  
8 question.

01:04PM 9 CATHERINE FAIRBAIRN: Yeah, I think, I mean, it's evident with  
10 information on the record and also the conservation today that the  
11 bridge locations and the limitations that that's caused in GNWT's  
12 planning the route has come up as a sticking point in a few different  
13 cases where people are interested in rerouting. And this morning you  
14 mentioned that there are some bridges that are -- that would be very  
01:04PM 15 technically difficult to move or, you know, you'd have to demolish and  
16 rebuild completely and there are other bridges that it would maybe be a  
17 bit simpler to move, transport, change the location slightly. I was  
18 wondering if, as an undertaking, the GNWT would come back with  
19 some more information about which of those bridges that applied to and  
01:05PM 20 which of those crossings. That could be useful for parties when  
21 considering some of the re-routes that have been requested.

22 ERICA BONHOMME: Yeah, thanks. Erica Bonhomme. We already  
23 responded to that response to DFO, IRDFO9.

24 CATHERINE FAIRBAIRN: Thank you.

01:05PM 25 ALAN EHRLICH: So the next questions I have are from senior  
26 environmental advisor, Chuck Hubert.

27 CHUCK HUBERT: Good afternoon. This question is just a

1 follow-up to a response that GNWT had to the board by our -- again, on  
2 on this topic of alternatives [audio] -- sorry, too far away?

01:06PM

3 Okay. So I'll -- Chuck Hubert, Review Board. So this is a  
4 follow-up question to your response to, I think it's IR number 66, which  
5 was the board's question on this topic of alternative routing. And in the  
6 response -- and thanks for this response; it's good, it's thorough -- you  
7 talked about how there would be additional engagement with Pehdzeh  
8 Ki First Nation and there would be a traditional land and resource review  
9 study submitted, and discussion around that. And then -- also, which  
10 this was new -- a new item, talked about submission of a supplemental  
11 route investigation report based on information from the PKFN  
12 traditional land and resource use study. So I'm a bit interested in that.  
13 What do you -- you know, you floated the idea out of this report. What  
14 would be it in, what would the parameters be, what would some of the  
15 discussion be about? Would it be something that would be submitted to  
16 the board?

01:07PM

17 SETH BOHNET: Thanks for the question. Seth Bohnet, GNWT.  
18 So to that point, again, the engagement is currently underway with  
19 PKFN. There is currently work that has been undertaken by PKFN, and  
20 funded by the GNWT, to help inform the -- their investigation or their  
21 thoughts on a proposed alternative alignment. We are currently working  
22 together to have that information shared to the GNWT. We have not  
23 yet received it. Once we have that information and have had an  
24 opportunity to have further dialogue, that information will most likely be  
25 shared with the board to the extent possible given full conversation that  
26 there may be confidential information or information in there that is  
27 sensitive that the PKFN will not want made public.

01:07PM

01:08PM

01:09PM

1 ALAN EHRLICH: So I'll need PKFN to help clarify for this. But  
2 if -- I know that PKFN has a study that contains confidential Indigenous  
3 traditional knowledge that includes sensitive, site-specific information,  
4 and one of the things that the board does, we're committed to  
5 transparency, we put evidence on the record, but for certain things,  
6 confidential handling is essential and that includes when traditional  
7 knowledge is -- is sensitive, and there's ownership and confidentiality  
8 details.

01:09PM

9 So on Friday, the Review Board is meeting with PKFN to discuss  
10 the handling of a document that contains that kind of in-depth, sensitive,  
11 traditional knowledge so that we can work out a way that we can access  
12 this but -- and that you have a fair opportunity to see what's in it without  
13 this being widely publicly available. And so we're going to meet and talk  
14 with PKFN to find out an acceptable form of handling that's appropriate  
15 to the information in there. What is unclear to me is is that TK report --  
16 does that sound like the thing that Seth is -- so these are two separate  
17 reports? Okay. Seth.

01:09PM

01:10PM

18 SETH BOHNET: So there are two different activities that we have  
19 worked with the PKFN over the recent several months to have  
20 addressed. One is the traditional land use study, and then the other  
21 one is an engineering scope of work to explore potential for an  
22 alternative alignment. Again, we are waiting for feedback on both of  
23 those at this point in time.

01:10PM

24 ALAN EHRLICH: Okay, PKFN, any kind of sense of what sort of  
25 timing the GNWT might be able to expect that second report under?  
26 Just because as I have expressed, the Review Board has a real interest  
27 in getting this kind of relevant information early enough in the

1 environmental assessment so it could be part of good decision making  
2 instead of just after during the regulatory processes, good  
3 environmental assessment decision making I mean.

01:10PM

4 SETH BOHNET: If I could, Seth Bohnet, GNWT. I would just  
5 like to reiterate again this is ongoing engagement with the PKFN. We  
6 are currently in the process of establishing an information sharing  
7 agreement to make sure that those documents, and the information that  
8 they're willing to provide to us, is received and handled appropriately.  
9 So, again, I understand the work is completed. We're just working on  
10 that outstanding component to receive the information.

01:11PM

11 ALAN EHRLICH: I understand. My point was just if we get this  
12 after the environmental assessment public record is closed, it's not  
13 going to be very helpful to approve the decision that the Review Board  
14 has to make, and we want to consider thoroughly the views of all of the  
15 parties. So PKFN, anything to add on that? Okay, they're indicating no.  
16 Great --

01:11PM

17 ERICA BONHOMME: Alan, sorry, before you move on, I just wanted --  
18 it's Erica Bonhomme. I want to just follow-up on Catherine's question  
19 because there was an IR, MVEIRB 66, part V, which provided  
20 information on the existing bridges along the winter road and what  
21 would -- which ones would be suitable for being, you know, potentially  
22 consideration for relocation or -- or, you know, they're not necessarily as  
23 permanent as some of the more substantive ones and what would be  
24 some of the factors that GNWT would consider. So the combination of  
25 the list of those bridges that's provided in the DFO response, along with  
26 MVEIRB 66, should hopefully help to answer that question that you had.

01:12PM

01:12PM

27 ALAN EHRLICH: Okay, we'll have another look at that and see if

1 it does, thank you.

2 Now I'm going to go -- Chuck, do you have another question?

3 Are we good?

01:13PM

4 Next question, we're going back to PKFN. PKFN has several  
5 questions. But we've asked during the break for them to prioritize the

6 top few that we can do now, and then to give you the remainder in

7 writing before the end of the day for you to be able to consider and

8 respond to first thing tomorrow, okay? Rather than going for an

9 extended undertaking. They're the kinds of questions we want to get

01:13PM

10 discussed in here. But rather than go back and forth, this gives you

11 some time to work on it on your own and produce answers for us that

12 you can read into the record tomorrow morning. But for the first few of

13 those questions are going to be asked here, just rather than all 18 here,

14 because otherwise then we're not going to have time to get into the

01:13PM

15 wildlife and that's another important topic that we've got to do justice

16 too. So PKFN, Sharon or Jane.

17 JANE HENDERSON: Jane Henderson, PKFN. So to respond to your

18 immediate comment, Erica --

19 ALAN EHRLICH: -- closer to the microphone.

01:14PM

20 JANE HENDERSON: Even closer? How's this everybody? Okay.

21 So PKFN repeatedly hears GNWT, the developer, that options

22 can be looked at if they are reasonable or within reason, and I would

23 repeat that the design and evaluation criteria for this project prevent the

24 consideration of options that PKFN finds reasonable. PKFN would also

01:14PM

25 like to echo LKFN's concerns and observations about climate change

26 impacts. As one member recently told me, you know, in 20 years, the

27 winter road won't be there, meaning from climate change impacts, so

1 why would you invest it in from an all-season road.

2 Further comment, PKFN is surprised and does not agree with  
3 GNWT statement that permafrost and permafrost protection does not  
4 need to be a design constraint for the road.

01:14PM

5 And PKFN notes that the information about the winter road that  
6 has gone back to the '60s -- we heard this morning that there was a  
7 large volume of information that has been gathered on the winter road  
8 route and that is partly why it's a preferred route, is there's this large  
9 volume of information gathered over time -- and PKFN notes that

01:15PM

10 information going back to the '60s was largely gathered without the  
11 input of their Indigenous knowledge, without consultation, without any  
12 evaluation of the route's impacts on PKFN's abilities to exercise their  
13 Aboriginal and treaty rights and title, which are absolutely at issue in the  
14 past work and in this proposed project. And so the true cumulative  
01:15PM 15 impacts of that past work and this proposed work have not been  
16 correctly evaluated.

01:15PM

17 PKFN also notes that the area of N'deh, their territory, which is  
18 affected by the proposed route, is also affected by the proposed  
19 protected area that PKFN has been working on for over 20 years now.  
01:15PM 20 And of course because the Deh Cho land use plan remains in draft  
21 interim form, the knowledge and the vision that went into that plan is not  
22 actively considered in the DAR when it comes to choosing a route.

01:15PM

23 So I can understand how from GNWT perspective this plan is in  
24 draft form and so is less powerful, but it's important to stress that to  
01:16PM 25 PKFN the knowledge and instructions from their Elders that are  
26 reflected in that plan are things that they are absolutely required to  
27 followed, to protect N'deh and their future generations' inherent rights.

01:16PM

1 So PKFN has a number of further questions regarding the DAR's  
2 evaluation of the proposed inland route alternative or, really, any  
3 alternative outside of the one-kilometre corridor.

01:16PM

4 The purpose for these questions, there's two purposes for these  
5 questions. The first is to show why PKFN does not have confidence in  
6 the evaluation's conclusion that the winter road route is preferred; and,  
7 that using existing winter road route and water crossings are  
8 appropriate design and evaluation criteria.

01:17PM

9 Again, from PKFN's perspective the mitigation measure to  
10 prevent adverse effects is protect the Aboriginal treaty rights and the  
11 title is an alternative route that is outside the one-kilometre corridor.  
12 Sensitive locations are found overwhelmingly next the Deh Cho and at  
13 the river and creek mouths along the Deh Cho and putting the  
14 all-season highway there would only further cement effects that already  
15 interfere with PKFN's abilities to exercise their inherent rights and to  
16 pass that knowledge on to the next generations. So that is the first, is to  
17 show PKFN's gaps, that they see the vulnerabilities, as you called them,  
18 in the proposed plan.

01:17PM

19 The second purpose to our questions today is to look very  
20 closely at technical notes within the DAR that comment favourably on a  
21 route outside the one-kilometre corridor.

01:17PM

22 So I will now ask GNWT, and everybody here, to join PKFN in a  
23 thought experiment. If we could set aside the bridges, if we could forget  
24 the bridges in the Deh Cho from the Wrigley north, what is the best  
25 route, because we can see the design criteria constrain us to constantly  
26 be thinking about the bridges. If we set that aside, what is actually the  
27 best route for an all-season road through the Deh Cho all things being

01:18PM

1 considered.

01:18PM

2 So given time constraints in this process, the Review Board has  
3 suggested that we submit questions in writing for you to respond to  
4 tomorrow morning. I would say that 17 of our 18 questions are very  
5 much of a theme of what I just described and then we have one  
6 separate free-standing question that I would like to ask now. So I will  
7 ask my separate free-standing question now, and then you can advise  
8 the Review Board on time and how many of those remaining 17  
9 questions you'd like to get into which, like I said, go to the thought  
10 experiment, is if we're not thinking about the bridges, what's the best  
11 route.

01:18PM

12 So this is my final question, and it doesn't really fit anywhere in  
13 the agenda so we're going to put it in now. But it's fundamental to the  
14 proposed work.

01:18PM

15 I'm looking at table 6.1 in the DAR. Table 6.1 sets out that the  
16 authorizations that the developer will seek over the project, however,  
17 unfortunately, this table is incomplete. As a signatory to Treaty 11 with  
18 Canada, PKFN's position as consistently stated by the Elders since  
19 1921, is that PKFN ceded or surrendered title to N'deh. When I say  
20 N'deh, I mean the land. This position received judicial recognition and  
21 by Canadian courts in the Paulette chain of cases. Combined Treaty 11  
22 is evidence of title as the Crown was negotiating only with the First  
23 Nations it recognized as title holders, and the Paulette chain of  
24 decisions is evidence that the title was not surrendered.

01:19PM

25 It's very clear that PKFN's Elders still remember what was said  
26 and done, and none of this is new. The Deh Cho Nations have said this  
27 all along. The GNWT has never sought land tenure for PKFN for the

01:19PM

01:20PM

1 proposed highway route or any other one. Canada is currently  
2 negotiating with the Deh Cho Nations where land tenure is recognized  
3 as a live and contentious issue. PKFN has never signed on to  
4 Devolution and consistently, in the years I have been working with  
5 PKFN on this matter, I have consistently asked and unable to answer  
6 what is the source of GNWT's tenure in the N'deh.

01:20PM

7 SETH BOHNET: Thanks for the question, Jane. I would suggest,  
8 and I look to the Review Board for guidance on this one, but I don't  
9 know that that question is specifically in scope with the environmental  
10 assessment.

01:22PM

11 MARK CLIFFE-PHILLIPS: I always try to stay in the background on this  
12 one, but I got brought in. So there was a lot within the statement made  
13 by PKFN. I guess in terms of staying within the scope of the  
14 environmental assessment, the Review Board doesn't have any  
15 jurisdiction to assess or validate title rights or those sort of things. What  
16 our board is looking at within the environmental assessment is what  
17 types of impacts the road might have which then may impact on a right.  
18 That's how our guidelines and our reference bulletin and this topic  
19 describe. So maybe just looking back to PKFN to -- in terms of framing

01:22PM

20 that question again to -- our board doesn't weigh in on the level of title  
21 or the extent of the strength of claim or any of those types of issues,  
22 and we're not in any position to validate those or weigh in on those. But  
23 we do understand that what is being expressed is that there are impacts  
24 from the routing of the road currently that will potentially impact  
25 significantly on rights of PKFN. So trying to get that question back to  
26 GNWT through that line of questioning that you describe, what would  
27 you maybe constitute as the significant impacts related to the routing

01:23PM

1 that you would like GNWT to address specifically? We've heard lots of  
2 these concerns through the lines of questioning that PKFN has put  
3 forward, but is there any specific and substantive item that you want  
4 GNWT to respond to right now through that question?

01:23PM

5 JANE HENDERSON: Thank you. So I would first say that Aboriginal  
6 title includes decision making authority over your territory, and we see  
7 through the project proposal, and particularly the design and evaluation  
8 criteria, that that decision making authority has been removed from  
9 PKFN and they're unable to exercise that right.

01:24PM

10 I also understand the constraints on jurisdiction that have been  
11 placed on the Review Board. I would say that our subsequent  
12 questions do relate to Aboriginal and treaty rights and the way that the  
13 routing affects them. I would also say that -- what do you want me to do  
14 about this feedback?

01:24PM

15 A little bit back, thank you.

16 I would also say you'll hear more about this in the coming days.  
17 And I would just like turn to the rest of the delegation to ask if anyone  
18 else would like to speak to this at this time. I'm passing it to the Chief.

19 ALAN EHRLICH: Mahsi, Chief.

01:25PM

20 CHIEF JAMIE MOSES: Thank you. It's pleasure seeing everyone here.  
21 Glad everybody made it here safely, and definitely hope that everyone  
22 makes it home there.

23 I am not gonna come up with any good -- sorry not, not to say  
24 any good questions there, but I just want to inform people on what's  
25 going on here, on our position.

01:25PM

26 Our position at Pehdzeh Ki has been -- our relationship with the  
27 GNWT has been very rocky, right from the inception of GNWT. Until

01:25PM

1 almost this day it's not been good. We've been left out of a lot of things.  
2 They've been talking about evaluation of this road since the '60s.  
3 We've never heard anything about it. From our position all we know is  
4 this route that they want to use, that they don't want to deviate from, it's  
5 a Cat trail from a Cat operator from the 1960s. There ws no studies  
6 done for it. If the studies were done for it, they would have followed the  
7 pipeline. The pipeline, they did their studies, they did their homework.  
8 They know exactly where to go. And they're trying to tell us that they're  
9 evaluating. They didn't even do a geotechnical study. They didn't even

01:26PM

10 step on the ground. They're looking at it from a desktop, you guys.  
11 Like what the hell is that, right. So, anyways, so our relationship with  
12 the GNWT has been really rocky. And even just recently, they're trying  
13 to do a bear study, bear dens study. They told us they consulted with  
14 us. They never did. We just got that letter like a week before, two

01:26PM

15 weeks before. Where was the consultation? So these things are still  
16 happening to this day. And, yeah, and the thing about our main  
17 concerns, you know, not getting into technical things, just from layman's  
18 terms, it's a low lying water. That's where all the water is. That's where  
19 all the moose are. That's where all the ducks go. And that's all our

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20 traditional area. That's where our -- you look at the studies that we  
21 have done there, we want to share them right away here, but we just  
22 need some -- well, they already mentioned what they said. We just  
23 need agreement on what they're gonna do with our information. But it  
24 all states in there exactly -- it shows on the map that that's a high, high

01:27PM

25 area of traditional activities. And it is, still to this day it's what we use.  
26 And, yeah, so I just wanted everybody in this room to understand that,  
27 you know, our relationship with GNWT has not always been good.

1 They've never consulted on us. And the big contentious item here is  
2 bridges. Not one bridge have we ever been consulted on. Not one.  
3 And they lied to us. They said that they got their permits saying that  
4 they're just trying to extend the life of the winter road so you can have a  
01:27PM 5 few more weeks. They didn't say that it's going to turn into an  
6 all-weather road. And, yeah, I think one of the big things there too,  
7 when we're talking about realignment there, this is traditional knowledge  
8 that our Elders left for us. They compiled this information. They left it  
9 here for us, for us to use, and now we're using it, and it needs to be  
01:28PM 10 really analyzed and really looked at good, because we're not just saying  
11 let's go reroute this for the fun of it. You know what, this is one road  
12 we're going to build. This is the road that's going to last forever almost,  
13 right. So we're looking at it further ahead. What we also want, you  
14 know, is when we go to the higher ground, the better bedrock, it's going  
01:28PM 15 to showcase our land. If we're gonna bring people up here, we want to  
16 bring tourists too. We want them to see exactly what our land offers,  
17 and the beauty of it. So we want to showcase that also. And we can't  
18 showcase it down on the low ground, we're just stuck in some trees.  
19 You can't even see the river, right. So there's just a lot of issues that --  
01:28PM 20 not so much issues but there's a lot of reasons why we want to reroute.  
21 And I think it's very important that we -- we're following what our Elders  
22 set out for us. They gave us this information. They put this traditional  
23 knowledge on paper, in writing and on recordings, so it's -- it'll be very  
24 unfair for us to not even consider it there. And yeah, like I said, there's  
01:29PM 25 just a whole bunch of issues and technical, like I said I just want to  
26 inform people that this is our desire and, you know what, we're trying --  
27 we're trying hard to rebuild our relationship with everybody, with

01:29PM 1 industry, with government, and it's working but it's still a ways to go.  
2 And yeah, I definitely just want our Elders, their traditional knowledge,  
3 you know what, it has to be really considered good here and we have to  
4 really look at this there. This one-kilometre corridor thing there, it just  
5 doesn't make any sense to me. GNWT has their blinders on. They're  
6 just looking straight ahead; they're not looking over to the side where  
7 we're looking and we need to -- hopefully you guys can steer them into  
8 looking at that direction and really, really having a -- yeah, really  
9 analyzing it, and checking out all of the cumulative effects there.

01:30PM 10 Because there's just a lot of things, like we can get into that technical  
11 stuff but we have Jane for that there. And it's -- there -- so right now,  
12 the GNWT is not giving us good enough answers. Especially when it  
13 comes consultation and evaluation and things like that there, it's just not  
14 doing it right now. And we really need to, really need to investigate

01:30PM 15 alternative routes. Like I said, this is the only road we're going to be  
16 building and right now, it's not -- it's not really good. Just look at it. You  
17 want to be building in water or you want to building up on the high  
18 ground, hard rock, right. It's just that simple, right. Jane brought up a  
19 good point, that we should just -- don't -- quit thinking about the bridges.

01:30PM 20 The bridges were put there without our consultation anyways. We were  
21 lied to, you know. Weren't even asked about permits. You know, how  
22 did they get those? Definitely not through us. So that's the few things I  
23 wanted to bring up there.

01:30PM 24 And as for the -- the one question I did sort of have, I had a few,  
25 but Jane touched open them pretty good there. But in the end there, it  
26 says the Infrastructure will be taking over all of the maintenance and  
27 operations. So, basically, if you guys take all that away, you don't give

01:31PM

1 us any work, there is absolutely nothing guaranteed to us. What sort of  
2 work is guaranteed to us? Nothing right now. There's nothing  
3 guaranteed to PKFN other than, you know what, we're the ones putting  
4 everything up here. This is our land. It's our home. We know where  
5 the ducks and the birds and the moose are. And we're cutting right  
6 through that. And, yeah, so I just -- I just wanted to make sure that  
7 everybody in this room knows that, you know, we've had a really rocky  
8 relationship with the GNWT. It still needs a lot of work but I guess this  
9 is the start. And, yeah, no, thank you all there.

01:31PM

10 ALAN EHRLICH: Mahsi Chief Moses. So one item I just want to  
11 follow up on your statement, Chief Moses, that the consideration of the  
12 traditional knowledge, our board's required, under the MVRMA and the  
13 under the land claims, that we must consider, meaningfully consider  
14 and incorporate all of the TK that's provided to us. So just putting that  
15 out there, that our board must consider that.

01:32PM

16 The questions, I guess, going back and framing that back to  
17 GNWT, one is how would GNWT incorporate that traditional knowledge  
18 and how would that impact on the ability of GNWT to think outside of  
19 the one kilometre study area if the TK shows that there might be need  
20 to consider rerouting or at least evaluating, based on the information  
21 that might be provided in the TK report. Just to add to that, I guess it's  
22 the -- we heard through the responses from GNWT around the -- the  
23 aspects of how geotechnical information might be considered in the  
24 future on how it may be able to optimize road design or routing within  
25 that existing corridor. That's one criteria. That's the geotechnical  
26 criteria. How is GNWT planning on using other criteria and what other  
27 criteria might you use in the future if it's wildlife studies or TK studies or

01:33PM

1 other things to better optimize that routing selection moving forward?

2 SETH BOHNET: Thanks for the question. Seth Bohnet, GNWT.

3 So to reiterate and reconfirm, the alignment that is currently in the  
4 developer's assessment report, that we've proposed as the current  
5 alignment, is informed by all information we have available to us at this  
6 point in time. So there is traditional knowledge, there is existing  
7 baseline conditions, there's existing infrastructure present, there's  
8 existing disturbance. All of that has been fully factored in and  
9 considered at this point in time.

10 Now, we do acknowledge, and have responded to a couple of  
11 different IRs I believe, is that there are -- there is additional information  
12 forthcoming. As we receive that information, we will share it to the  
13 extent that we can of course, given confidentiality and sensitivity pieces,  
14 but it is our goal to fully consider that. If there is information shared with  
15 us that requires us to reconsider pieces or portions, we'll do that. But  
16 until we receive that additional information, we're not able to commit  
17 anything, right.

18 MARK CLIFFE-PHILLIPS: Thanks, Seth. It's Mark from the Mackenzie  
19 Valley Review Board again. I always have to remember to say my  
20 name on here as well. I guess one of the questions that the Review  
21 Board might have, and probably other parties are interested in, is when  
22 you reconsider that information, what sort of metrics or criteria might  
23 you be using to, one, realign within that one-kilometre corridor which is  
24 what is being proposed in the proposal, but what sort of criteria might be  
25 applied to reroute outside of that corridor?

26 SETH BOHNET: So I would suggest, again, that the design  
27 criteria that's currently outlined in the DAR is the design criteria that

1 we've been working towards. So we have specific objectives in there,  
2 minimizing disturbance maximizing utilization of existing infrastructure.  
3 So to the extent we can, we would be looking to still meet those criteria.

01:36PM

4 ERICA BONHOMME: Erica Bonhomme. I would just add to that, you  
5 know, that I appreciate, you know, Jane's, you know, statement that,  
6 you know, what if we were, you know, to not have all these constraints  
7 on us, but I think it's important to emphasize that the existing  
8 infrastructure is important to consider. It's not a small feat. And  
9 though, you know, there are, you know, respect the views that have

01:36PM

10 been put forward on -- that infrastructure. I'm just a consultant, but  
11 I'm -- but I don't want to speak on behalf of the GNWT but it's -- but the  
12 fact that -- but it has to be considered. They're there, and they're a  
13 public investment. They have to be considered. It's -- you know, we  
14 can't -- I don't think they can just be, you know, not factored into

01:36PM

15 anything going forward. But going to Mark 's question here. You  
16 know -- we'll get to this this afternoon. We've had a lot of information  
17 requests about caribou as a species of risk. Changes from habitat,  
18 changes from -- to potential effects on movement. Those, I expect,  
19 would be considerable considerations in selecting a route that would be

01:37PM

20 further away from the river because we have demonstrated that one  
21 way to reduce the potential effects on caribou, boreal caribou, are to  
22 use existing disturbances as much as possible and that the existing  
23 routing factually occurs in a really prime location to not have those  
24 effects related to, you know, barriers that roads potentially create

01:38PM

25 because you're at -- you know, there are those -- some of those existing  
26 features. So that would be something that would be important to  
27 consider in terms of additional work.

1 Geotechnical work, as we've said a lot of different times, is not  
2 likely to constrain a routing. It will be factored into final design. It's not  
3 something we need to pick a route. We can absolutely adequately do  
4 that with desktop information that's available to us.

01:38PM

5 ALAN EHRLICH: It's Alan Ehrlich again. So project splitting is the  
6 term for the undesirable practice of proposing a project in small enough  
7 parts so that they don't get considered in their entirety. And going back  
8 to when many of these bridges were put in by the GNWT, I recall a  
9 specific conversation with Stewart Niven who was the manager -- I think

01:39PM

10 regulatory manager at the time where -- our board looks at what's  
11 undergoing screening, and I know some of these were before Stewart  
12 Niven's time, some of them were during. And a discussion was held  
13 saying, look, if this is part of the Mackenzie Valley Highway -- if these  
14 bridges are part of the Mackenzie Valley Highway, they should be part  
15 of the environmental assessment of Mackenzie Valley Highway. And  
16 the very clear response from Stewart was these are for the winter road.  
17 They do not constrain the routing or design of the Mackenzie Highway.

01:39PM

18 We need them for the winter road but we'd like to do a good job with  
19 these bridges. So I have a hard time reconciling that, which I directly  
20 recall, with the idea that the location of these bridges are one of the key  
21 routing factors for the Mackenzie Valley Highway. Like, I don't  
22 understand how that can be true and for the construction of the bridges  
23 not to have been project splitting. That's what I'm having a hard time  
24 putting together. Could you help me out, please.

01:40PM

25 SETH BOHNET: Seth Bohnet, GNWT. The one thing that I  
26 would speak to on that is, again, that those bridges, as they were built  
27 and when they were built, have been, and continue to be, in support of

01:40PM

01:41PM

1 the operations of the Mackenzie Valley winter road. So now as when  
2 they were built, consideration of future utilization would have been built  
3 into the design of those bridges -- and I can speak to the earlier  
4 question about those -- that -- in a moment. But to be certain, those  
5 bridges do not require the Mackenzie Valley All-Season Road to be  
6 built. So they are specific to the winter road.

01:41PM

7 Now as we move forward with the design and this project, we  
8 want to maximize the utilization of those because, again, they're already  
9 investments that have been made for another purpose. So, again, they  
10 were advanced under their own regulatory processes. They already  
11 exist. So we need to consider them in the design of this project. But,  
12 again, they -- they weren't -- they're not a specific scope of this project.  
13 They already exist.

01:42PM

14 MARK CLIFFE-PHILLIPS: Thanks, Seth, just to be clear, we understand  
15 that it's not part of the scope of development but they're considered in  
16 the scope of assessment because they are part of what's being  
17 considered as part of the infrastructure that currently exists. So it's not  
18 that they're out of the assessment. They're out of the scope of  
19 development, but they're part of the environmental assessment so they  
20 do need to be considered in combination with what's being proposed.

01:42PM

21 So I just want to make that very clear as is any future bridge is, the Bear  
22 River bridge, as also being mentioned, was screened through a  
23 separate part 5 assessment at the time. But that still needs to be  
24 considered in combination as part of this project, and it -- but in the  
25 scope of assessment, not the scope of development.

01:42PM

26 SETH BOHNET: Seth Bohnet, GNWT. Thanks for the  
27 clarification. I do want to circle back quickly to the question that was

01:43PM

1 raised earlier about the -- what's the term I'm looking for -- the existing  
2 bridges and their ability to support the all-season road. So I can confirm  
3 that when they were put in place, they are to a standard that will support  
4 the all-season road moving forward. There is currently work being done  
5 to understand better the load carrying capacity of each of those pieces  
6 of infrastructure, which may require future controls.

01:43PM

7 MARK CLIFFE-PHILLIPS: Mark again, with the Review Board. So in terms  
8 of the low criteria, there's other environmental assessments that the  
9 board is currently under and will be doing in the future related to the  
10 Norman Wells operations. Has GNWT been in conversations at all with  
11 Imperial Oil on the potential use of that road for closure of the facilities  
12 and if that's being taken into consideration for any design criteria?

01:44PM

13 SETH BOHNET: So I can ask Kalo Stantec here, Walter, to  
14 speak a little bit about the care and capacity but I can't speak to the  
15 engagement with Imperial at this time.

16 JANE HENDERSON: This is Jane from PKFN. While GNWT is  
17 conferring, Mark, would you repeat the question because some folks  
18 missed it. Thank you.

01:45PM

19 MARK CLIFFE-PHILLIPS: I think I have the answer now. But Mark, again,  
20 with the Review Board. The question was regarding the considerations  
21 of the future closure and reclamation of the Imperial Oil facilities or  
22 ongoing operations but just in terms of the operational constraints that  
23 the design might have on the ability to reclaim that site, or has any  
24 engagement happened around that.

01:45PM

25 WALTER ORR: Walter Orr here, at Kalo. The actual highway is  
26 not constrained by load carrying considerations. It is designed for any  
27 normal highway loading. The -- I know that there is a study which

1 perhaps GNWT can speak to a little bit further that has been carried out  
2 on the existing winter road bridges to confirm their load carrying  
3 capacity based on what they are currently doing.

01:46PM

4 ZIANR RAHMAN: Thank you. This is Zianr Rahman from GNWT  
5 unit. So we have to set up a lot of existing bridge which connect to the  
6 winter road and those bridges have been built at a different time. But at  
7 the time, at the different bridge code was utilized. There is a different  
8 loading condition was applied on at that time. So at this moment,

01:46PM

9 GNWT has assist -- initially assessment has been completed however,  
10 we -- the consultant has recommended us to go detail load evaluation.  
11 We are going to review the load condition definitely and once the load  
12 evaluation is completed, then we can come up with which bridge has  
13 kind of constraint and then we can come up with a clear picture. But at  
14 this moment, I think the plan is to connect those bridges. That will --  
15 they might have some kind of a load restriction particularly on that kind  
16 of localized bridges only. Thanks.

01:47PM

17 MARK CLIFFE-PHILLIPS: Thank you. Mark from the Review Board. Do  
18 you have a timeline on that study and if that study is completed on time  
19 if we could have that submitted to the Review Board record.

01:47PM

20 ZIANR RAHMAN: At this moment, I cannot remember the timeline  
21 but, yeah, I can get back.

22 MARK CLIFFE-PHILLIPS: Okay, thank you.

23 ALAN EHRLICH: Thanks. I'd like to go to PKFN for one more  
24 question and then to Ruari online on behalf of Gwich'in Tribal Council.  
25 So Pehdzeh Ki.

01:48PM

26 JANE HENDERSON: Thank you. Jane for PKFN. A point of  
27 clarification. I think perhaps I have not been clear and for that I

01:48PM

1 apologize. To PKFN, the existing disturbances that the highway really  
2 wants to use, those are disturbances to PKFN and to their abilities to  
3 exercise their Aboriginal and treaty rights. So while GNWT sees using  
4 the existing disturbances as a positive, to PKFN that is a negative. Like  
5 I said, the existing route and watercourses were put in without  
6 consultation, without Indigenous knowledge, and so to further cement  
7 that route as an all-season road, and to be using it, as Alan said, with  
8 impacts all seasons instead of just winter impacts, is to exacerbate  
9 disturbances to PKFN. So that is negative in their view, not a positive.

01:48PM

10 And I would like now to pass it to Elder Tim Lennie.

01:49PM

11 TIM LENNIE: For some reason, I'm all shaken up, I'm just  
12 vibrating from the inside out. Very ironic how government works with  
13 Indigenous people. To this day, this is 2024, this is not my first time at  
14 this table. I've been listening to government since Stuart Hodgson was  
15 alive. He was the man on the highway, okay? [Indigenous language  
16 spoken]. I'm not from Pehdzeh Ki so I can see from the inside out, from  
17 the outside in, what these people are going through. I was raised in  
18 Tulita, been very fortunate. I married a woman from that community. I  
19 hold her in my hand today. I trapped with her father, Boniface Nayelle.

01:50PM

20 The Neyelle family are from the Blackwater area. There are many that  
21 use that territory.

01:51PM

22 When we were trapping back in mid '70s up to mid '80s, me and  
23 Boniface, yeah, they were still talking about highway then. They were  
24 looking at the winter road. Their old man had a -- we used to only live in  
25 a tent. Go out trapping. Because as Indigenous people, we're -- we  
26 don't like infrastructure. Leave no footprints. That's how we live. Just  
27 recently we're starting to build cabins and say we own this. Start to

1 build things, and then everybody has ownership. We've never lived like  
2 that, just until lately. Many times while he was alive when he was still in  
3 his age and still healthy and trapping, they come down and wanted to  
4 put this road on the CN line. [Indigenous language spoken] what do  
01:52PM 5 you think about it? And I used to translate for -- and I wasn't very good  
6 in my language because I lost my language. [Indigenous language  
7 spoken]. Just a while ago, just a number, maybe past 20 years I  
8 starting to speak my language. I thought I'd never learn it but I guess I  
9 was born with it. It's a natural. And they asked the old man [Indigenous  
01:52PM 10 language spoken]. They want to push this highway along this winter  
11 road in Tulita, to Fort Norman at that time. [Indigenous language  
12 spoken] why they saying that for? [Indigenous language spoken] It says  
13 there are trails, historical trails along the river bank. There's trails that  
14 goes into the mountains, in the back, to the lakes, to where they  
01:53PM 15 harvest. There's site specifics -- site specifics that they're not even  
16 willing to consider, to acknowledge. [Indigenous language spoken].  
17 How much more time we're going come here to you to tell you these  
18 things? We are tired. [Indigenous language spoken]. All these years,  
19 how many different board members have we sat in front of you before  
01:54PM 20 where you are today? How many? How many changes have we seen  
21 and faces and ideas? Because I've been at this table for 50 years, and  
22 I've seen many come and go to Wrigley and talk about this here. If you  
23 don't get it now, you'll never ever get it. [Indigenous language spoken].  
24 Money is good. But how about our spirit? Our beliefs? Is that at a  
01:55PM 25 cost? Whose cost? [Indigenous language spoken]. We gotta live by  
26 our heart. [Indigenous language spoken]. This land that Pehdzeh Ki  
27 First Nation continued to trying to express and protect. It's not only for

1 my grandchildren and my children, but those who are unborn.  
2 [Indigenous language spoken]. In that way, as Dene people, we think  
3 that far. [Indigenous language spoken]. We don't think only for today.  
4 [Indigenous language spoken].

01:56PM

5 You talk about these bridges. Get real. I'm boots on the ground.  
6 And you put that road where right where it is, you only have single lane  
7 bridges. You're going to have to have a two-lane bridge on this  
8 highway, and you're telling me you're not gonna -- but you're not gonna  
9 be able to remove those? Are you telling me you're gonna leave those  
10 bridges there and just push a highway with that one-lane bridge?

01:56PM

11 So many times we talk with industry, with infrastructure. Elders  
12 from my time to this day. Even there's a bridge just out of town, Smith  
13 Creek. [Indigenous language spoken]. Told them when they built that  
14 bridge there, don't put that bridge there. There's a slide. That thing  
15 there, come right straight down, you got a big double S down -- coming  
16 down that road. And [Indigenous language spoken]. Put it on top of the  
17 bank, on a higher bank. That place that they identified has not slid  
18 once. But if infrastructure listened us, that bridge would not be replaced  
19 today. We live there. Go out there. Listen to them. Hear what they're

01:57PM

20 saying. So when you come to the locals, eh, when you come to the  
21 local people, the Indigenous people, not [Indigenous language spoken]  
22 we work -- as a Chief, I worked with the Jim Stevens. Did the PDR  
23 work. That's one of the first things I asked, and we've asked, was the  
24 bridge. Well, they're going to have to remove the bridge. You know  
25 what Jim Stevens says? They're removable, just like anything else.  
26 You put them there, you can remove them. It's no problem.

01:57PM

01:58PM

27 Fiber optic links, you compare to the highway. It's not the same

01:59PM

1 as a highway. That's underground. What kind of disturbance is that?  
2 All I need to just stress today. It is very sensitive to my body and the  
3 way I think. [Indigenous language spoken]. We are a people. But  
4 instead of embracing and working in partnership and you want a partner  
5 to work with, [Indigenous language spoken], work with us. Hear our  
6 people out.

7 The way I look at it, same with Cece, long gone Cece McCauley.  
8 She thought she'd see that in her lifetime. Well, I don't think I'm going  
9 to see that highway in my lifetime.

01:59PM

10 Yes, it is very important for our people. If it was for our people.  
11 I'll say once, and I'll say it again, this road -- winter road got nothing to  
12 do with humans. Just opening up the country. And that's a good thing.  
13 In one way or another, it's a good thing. Because we have a lot of well  
14 versed young people are growing up and grasping what the Elders are  
15 saying now. [Indigenous language spoken]. After me. After my  
16 generation, my young people, they're going to have to step up to the  
17 game here. [Indigenous language spoken]. They got to start speaking  
18 for themselves and their children and their family, their niece and  
19 nephews. [Indigenous language spoken]. So this is passed down.

02:00PM

02:01PM

20 With that, I'm just going to leave it with that because they're  
21 talking about an area that is very spiritually significant to me and my  
22 family and to my community that I represent. I've been very fortunate to  
23 this day to have been accepted to represent the people as an individual,  
24 as an individual. So all I say is mahsi to them and to their Elders  
25 [Indigenous language spoken]. Their fathers and their grandfathers are  
26 the one that gave me this - the words to speak. So when I'm around,  
27 depends on how I am, you heard me many times, I speak with the spirit.

02:01PM

1 It's just not words out of my mind. So I give you that so mahsi,  
2 [Indigenous language spoken] for give me this opportunity because I  
3 was shaking like hell before I got here, but I'm calm now. So we are  
4 good. But there is work in progress. [Indigenous language spoken].  
02:02PM 5 The only thing there is an unlevel playing field Pehdzeh Ki First Nation's  
6 dealing with the GNWT as not having the capacity. You know, I've been  
7 since Bob McLeod, we've been asking for capacity so we can do our  
8 homework of what you're asking us to do and still there's no resources.  
9 You have all the scientists and researchers sitting on your side. What  
02:03PM 10 do you have? So it's very unfair. [Indigenous language spoken] For the  
11 Dene people, it's very unfair. And it's always like that. Always  
12 continuous. If you want to make progress, the First Nations, the  
13 Indigenous people need the resources to do their due diligence before  
14 any projects happen within their territory. With that, Mahsi. You all  
02:03PM 15 have a good afternoon.

16 ALAN EHRLICH: Mahsi cho, Tim Lennie, thank you for that.

17 Before that, before we go, we're going to take a break and then  
18 we're going to switch to wildlife. But before we do that, we have a  
19 question online from Ruari Carthew, and then we also have a statement  
02:03PM 20 from Fred Andrew of the Tulita RRC. And then after that, we will go to a  
21 break. But with that, we're going to pivot to wildlife. I feel like we've had  
22 a good thorough discussion of different aspects of road; clearly an  
23 emphasis on routing, but I think people had concerns, you guys have  
24 heard the concerns, got some useful information. There are more  
02:04PM 25 questions from PKFN. So PKFN, you're okay doing the rest in writing?  
26 And copy us so we can get the questions on the record and we're  
27 looking for answers tomorrow morning. Do you want to go ahead,

1 Mark?

02:04PM

2 MARK CLIFFE-PHILLIPS: Yeah, just in terms of the questions that PKFN  
3 might have, I think we should on the break huddle a little bit with  
4 GNWT, just to look at the questions, to make sure we get the timing  
5 right on the responses.

6 ALAN EHRLICH: But before the break, though, let's go to Ruari  
7 and to Fred Andrew.

02:05PM

8 RUARI CARTHEW: Thanks very much, Alan, and thanks for the  
9 earlier comments and discussion. This is Ruari. I had one [inaudible]  
10 from the GNWT under section 111 of the Mackenzie Valley Resource  
11 Management Act. And environmental impact includes any effect on the  
12 social land -- sorry, social and cultural, environment, or heritage  
13 resources. So those considerations should be included as the GNWT is  
14 considering the alternative.

02:05PM

15 A related question on [inaudible] the issue of uncertainties and  
16 how [inaudible]. For example, outstanding studies or documents, I  
17 mean, there's kind of a lack of an updated economic assessment which  
18 we'll talk about tomorrow. But I'm just hoping to get some confirmation  
19 from the Review Board that parties will be given adequate time to  
20 review [inaudible] having to come up with, you know, closing arguments  
21 or getting ready for the public hearing portion. I do have my actual  
22 question afterwards, but I'm just hoping to get a quick confirmation from  
23 the Review Board that parties will get a chance to meaningfully consider  
24 these outstanding and important documents.

02:06PM

25 MARK CLIFFE-PHILLIPS: Hi, Ruari, it's Mark here. Sorry, the internet, I  
26 don't know if the cables are being cut right now. But just to confirm,  
27 you're talking about the business case report, the new economic

02:06PM

1 assessment report?

02:07PM

2 RUARI CARTHEW: Yes, I am referring more specifically to those  
3 studies but there were other studies that were mentioned [inaudible].  
4 Some of those I recognize are probably going to be confidential so not  
5 available for broader review but just in dealing with the outstanding  
6 information that is expected to come in if parties will get a chance to  
7 meaningfully review and consider those.

02:07PM

8 MARK CLIFFE-PHILLIPS: Mark again. I think it would be dependent on  
9 which reports. I think some of the ones you're talking about might be  
10 the traditional land use studies. We're still working through the -- how  
11 that information may get put on to the record and how that would be  
12 held under confidential cover. Hopefully we'll give greater direction to  
13 parties in a notice of proceeding in the next week or so.

02:08PM

14 In terms of any other reports, if it's the economic assessment,  
15 the business case report, or potentially the bridge study that was  
16 mentioned earlier, if that does get on the record, in most cases under  
17 environmental assessment practice we'll ensure that there's adequate  
18 time for parties to be able to review that prior to interventions or closing  
19 argument.

02:08PM

20 The GNWT might have a response here. I'm going to pass it  
21 over to Seth Bohnet.

02:09PM

22 SETH BOHNET: Thanks, Mark. Seth Bohnet, GNWT. I just  
23 wanted to provide a quick update. So we did confirm that the winter  
24 road bridge load evaluation work that is currently underway is targeted  
25 for completion in August of 2025.

26 ALAN EHRLICH: Thanks. And you know what, think -- Ruari, do  
27 you have a follow-up, a very quick follow-up?

1 RUARI CARTHEW: Yeah, I mean that wasn't the original question I  
2 wanted to ask. But economic information, you know, and benefits and  
3 consideration of that are hugely important for parties to consider.

02:09PM

4 There's a section tomorrow planned for talks on economy, so I  
5 can save comments for that time. The question that I had is more  
6 related to a lot of the comments and discussion that have happened this  
7 morning and in what seems to be a bit of an emergent concern related  
8 to the lack of certainty over, essentially, the project design, you know,  
9 that [inaudible] future of a project that is conceptual.

02:10PM

10 Now, a lot of tremendous work has gone into it, absolutely, and  
11 that is great, but the GNWT is sort of limited in how specific they can  
12 get with some of their answers and, understandably, a lot of the  
13 communities in the Mackenzie Valley are wanting to have specific  
14 questions and answers about their concerns. And when we're looking  
15 at this process, without being able to respond to those specifics, parties  
16 are effectively being [inaudible] to trust that the GNWT will design a  
17 project that is going to be okay in and that eventual interest will be  
18 properly managed and stewarded. And that's putting a lot of pressure  
19 and -- on communities for them to agree to that.

02:10PM

02:11PM

20 Basically, in essence, communities are being asked to sign over  
21 a part of their agency in the process because, as has already been  
22 mentioned, a lot of these decisions are going to be out of their reach  
23 when this moves outside of the environmental assessment process and  
24 into permitting. And so that reduces some of the agency that  
25 communities have in the process. It also reduces the potential for sort  
26 of meaningful, free, prior, and informed consent on some of those  
27 outstanding issues where there are uncertainties.

02:11PM

02:12PM

1                   So [inaudible]. Things like adaptive management and that has  
2 factored promptly in the mitigation measures. But there's been no clear  
3 sort of description of what level of control communities will have in that  
4 process to sort of also reclaim some of that lost agency in the process.  
5 And it seems that in order to preserve the sort of wellbeing of  
6 communities, that you need to -- as uncertainty and risk increases, you  
7 need to actively build in processes that allow for agency to be regained  
8 during the project. And you know, in either the construction of the  
9 project or both. And that seems to be lacking right now in the mitigation  
10 measures that I've reviewed.

02:13PM

11                   So within that context and to sort of help allay some concerns  
12 that are going around the room and amongst the parties and that are  
13 likely not going to be resolved in this process with the technical session,  
14 will the GNWT commit to sort of reading actual [inaudible] in to promote  
15 and restore agency for communities by giving them actual roles and --

02:13PM

16 ALAN EHRLICH:           -- Ruari, can you hear me? So just when you  
17 got to the verbatim wording of the commitment you're asking for,  
18 suddenly it went all staccato and I have to ask you to do it again.  
19 Maybe turn off your camera, and we will see if that makes any  
20 difference, but we really want to make sure that we get everything.  
21 Before we were missing the odd word but this was, know, this was  
22 something else.

02:14PM

23 RUARI CARTHEW:           Okay, I'll try it again. Thanks for stopping me.  
24 So the commitment I'm asking is will the GNWT commit to actively  
25 promoting and restoring the agency of communities in the Mackenzie  
26 Valley by creating actual roles in the design, administration, and  
27 implementation, of adaptive management processes?

02:14PM

1 ALAN EHRLICH: Okay, thanks, Ruari, we heard that one loud  
2 and clear. We'll go to the GNWT.

02:15PM

3 SETH BOHNET: Thanks. So thanks for the question. Seth  
4 Bohnet, GNWT. So I would suggest that the mitigations that we have  
5 proposed already, which include the establishment of the corridor  
6 working group and subworking groups and additional engagement on  
7 various management monitoring plans, does actually satisfy and meet  
8 that request. So we have already committed to working collaboratively  
9 moving forward on the development of those pieces.

02:15PM

10 ALAN EHRLICH: Thanks. Ruari, you've heard the response.  
11 What are you thinking? Are there other perhaps more specific  
12 commitments you would like?

02:15PM

13 RUARI CARTHEW: Thanks for the opportunity to comment again.  
14 And I appreciate the response. But I sort of, respectfully, disagree, and  
15 I think as we get into some of the wildlife issues, for example with  
16 caribou, or talk about some of the other topics tomorrow and on Day 3  
17 and we get into the issue of cumulative effects, there are many  
18 considerations and concerns in communities throughout the Mackenzie  
19 Valley that are not yet adequately represented in the mitigation  
20 measures. And so unless those commitments are being expanded, or  
21 rather unless the mitigation measures are being expanded to include  
22 communities throughout the Mackenzie Valley, then, no, I don't believe  
23 that the sort of response is adequate.

02:16PM

24 ALAN EHRLICH: So considering that, sometime, perhaps during  
25 Day 3, because you point out there's a connection there, if you can  
26 propose some more specific commitments we can floor them then and  
27 get them considered.

02:16PM

1 RUARI CARTHEW: Thanks.

2 ALAN EHRLICH: Okay. And finally, before the break, I'm just  
3 going to switch the order around a little bit. We've got Todd Slack for  
4 Déłıne Got'ıne Government, and then Trina Evans who has been  
02:17PM 5 waiting patiently for a chance to speak. Let's try to keep it fairly tight,  
6 just because the sun is starting to get low. I know it's November so it's  
7 not that late, but after that we'll go to the break, and then we'll get Fred  
8 Andrew after the break.

9 TODD SLACK: Thanks. Todd Slack with Déłıne Got'ıne  
02:17PM 10 Government. Can we get Ruari's comments on a page and then put it  
11 on the wall and then get GNWT, the one they said no to. Because I'm  
12 going to say something very similar. So maybe we can talk about  
13 language.

14 ALAN EHRLICH: So are you asking Ruari to enter his comment  
02:17PM 15 as in the chat for the Zoom, and then we put the chat up?

16 TODD SLACK: I was going to suggest -- Todd Slack with DGG.  
17 I was going to suggest a flip chart page but whatever works. Something  
18 we can see in the room.

19 ALAN EHRLICH: Over the break let's consider that. When you  
02:18PM 20 say his comment, do you mean his request for a commitment?

21 TODD SLACK; Gees Louise, I'm trying to keep it direct. Yes.

22 ALAN EHRLICH: I just want to know what you want. Okay,  
23 thanks. Yes, we will see if we can get that up on a flip chart over the  
24 break but I'm also keen to make sure that we have enough time to  
02:18PM 25 discuss the very important topic of wildlife. So that's a yes.

26 And finally, before the break, Trina Evans. Trina, do you have  
27 one of the free mikes? Great, thanks.

02:20PM

1 TRINA LAFFERTY: Hi, Trina Lafferty [Indigenous language  
2 spoken]. I guess as sacred ground [Indigenous language spoken]. To  
3 respect those wishes. I'm Trina Lafferty from Fort Simpson. I was  
4 raised by my grandparents. My grandfather had a cabin down by  
5 Camsell Bend. It's between the Fort Wrigley crossing and Willow River,  
6 [Indigenous language spoken] they call it. And my grandfather had his  
7 first family, he had eight children, his wife, the -- his -- all his eight  
8 children had died. He had buried them around Camsell Bend area, and  
9 his wife had died. They all died of illnesses. And when we used to go  
10 down the river from Fort Simpson to Norman Wells by boat, we spent  
11 the night down the river by his cabin, and he used to say that there's  
12 sacred ground where nobody is supposed to go. And I don't know how  
13 far it is from the Mackenzie River to the highway that's to Pehdzeh Ki.  
14 And I just know that it's sacred and to respect his wishes and, you  
15 know, it's just -- I feel that I had to say something because, you know, if  
16 this was to proceed, you know, how much more damage and how much  
17 more sacred grounds are they going to disturb? How much more  
18 graveyards are going to be disturbed? And even the animals know  
19 where not to go. And they know what's sacred as well. That's all I have  
20 to say. Thank you.

02:21PM

02:21PM

02:22PM

21 ALAN EHRLICH: Mahsi for that, Trina. And if there's anything  
22 during the break you can describe even towards which community or  
23 anything else you want the board to know about that, our board has  
24 considered spiritual impacts carefully in the past, and it recognizes  
25 that's an important part of culture. So thank you for your comment.

02:23PM

26 We are going to take a break until -- we'll take a ten-minute  
27 break and then start on wildlife. And thank you all for the discussion on

1 road engineering technology and alternative routes and access  
2 reflections this morning. See you in ten.

3 - SHORT RECESS -

02:39PM

4 ALAN EHRLICH: Grab your seats. The next thing we have is a  
5 presentation from the GNWT. We're going to switch to impacts on  
6 caribou and moose, and we've also asked the GNWT if they would  
7 kindly be willing to also introduce some of their impacts on other wildlife  
8 besides caribou and moose and other species at risk in the same  
9 presentation instead of two separate presentations because we think it  
10 will set up the afternoon for a more efficient discussion where we cover  
11 more of the bases. So with that, I'm going to ask, is it -- Seth, are you  
12 doing it? If Seth could do his presentation. Seth, is ten minutes enough  
13 for both topics?

02:40PM

14 SETH BOHNET: Yes, it should be good enough. Just to clarify,  
15 I'm going to actually direct this over to Kalo Stantec to lead us through  
16 these slides.

02:40PM

17 ALAN EHRLICH: Okay, please do. Don't forget to state your  
18 name before you start presenting. Thanks.

02:40PM

19 ERICA BONHOMME: Erica Bonhomme, Kalo Stantec. I just want to  
20 introduce our team who will be presenting this for GNWT. We have  
21 online Mike Settington from Environmental Dynamics and his  
22 colleague Kerman Bajina; and, here in the room, we have Elliott Terry  
23 with Kalo Stantec. And Mike will be presenting the slides.

02:41PM

24 MIKE SETTINGTON: Hello. It's Mike Settington here. I'd first  
25 would like to apologize for Kerman and I for not being there in person.  
26 We did have a cancelled flight in Vancouver, which left us no alternative  
27 to reach Yellowknife in time for this session. So thanks for allowing us

1 to present online.

2 If we could move onto the next slide.

3 Boreal caribou of NT1 population and regional moose  
4 populations were key focal points for this assessment because they  
5 threaten status of the caribou and the importance of moose harvesting.  
6 A project directly interacts with the boreal caribou however  
7 barren-ground caribou are not expected to be affected by the project  
8 footprint. While there's no direct interaction between the project and  
9 barren-ground caribou, we acknowledge the potential access and  
10 harvesting issues that could arise which are addressed as potential  
11 cumulative effects.

12 The assessment primarily focused on the direct and indirect  
13 effects on habitat, emphasizing how these factors may impact caribou  
14 movement and habitat disturbance from fire and humans. Additionally,  
15 we qualitatively assessed the health of both the caribou and moose.

16 Next slide. A total of 36 information requests regarding caribou  
17 and moose were received from the following organizations, including  
18 Łídlıı Kúę First Nation, the Délıne [audio], the Mackenzie Valley  
19 Environmental Impact Review Board. The Government of the  
20 Northwest Territories addressed eight key themes in response to those  
21 information requests and included discussions on a spatial extent of the  
22 local assessment area and its potential effects on caribou and moose  
23 populations within that area, the zones of influence for both moose and  
24 caribou, an updated habitat assessment that incorporates recent fire  
25 and human disturbance data, clarification of the cumulative effects  
26 assessment area, evidence regarding barrier effects caused by the  
27 highway referencing experiences from northern highways such as the

02:44PM

1 Tłıchq Highway. We provided more details about the biophysical  
2 attributes of caribou critical habitat. We provided acknowledgement of  
3 existing disturbances particularly from fire and the necessity to plan for  
4 habitat loss. And recognition of the road's potential to increase access  
5 for harvesters. Additionally the Government of the Northwest Territories  
6 responded to the Review Board's information request number 2 which  
7 addressed habitat change projections related to climate change.

02:44PM

8 If we can move on to the next slide. Most information requests  
9 were addressed by reorganizing material from chapter 10 to respond  
10 more effectively to specific questions. This included inquiries about  
11 caribou movement and the results of the movement analysis that was  
12 submitted after the main portion of the developer's assessment report.

02:44PM

13 We updated table 10.18 in the developer's assessment report to  
14 include all available data as of August 2024. This update features the  
15 human disturbance layer current to 2020 and fire disturbance data  
16 available through the end of 2023. The updated analysis did not alter  
17 the findings of the effects assessment nor change the Government of  
18 the Northwest Territories mitigation approach.

02:45PM

19 High levels of disturbance persist in the range plain region of the  
20 southern Northwest Territories and the disturbance threshold has  
21 already been exceeded within the spatially confined local assessment  
22 area for caribou and moose.

02:45PM

23 Additionally, there was further discussion on the Northwest  
24 Territories commitments to monitoring and mitigation as outlined in  
25 responses to Mackenzie Valley Environmental Review Board's  
26 information request number 56 and 57 as examples.

27 Move to the next slide. The Government of the Northwest

02:46PM

1 Territories is [inaudible] project on caribou and moose. Some of these  
2 measures include limiting vegetation removal to the width of the right of  
3 way in work spaces, limiting vehicle speeds to 50 kilometres an hour in  
4 unfinished project road surface to reduce disturbance and reduce the  
5 likelihood of vehicle wildlife collisions, 10 metre width breaks and  
6 windrows that are approximately 300 metre intervals to reduce blockage  
7 of moose and caribou movement. And follow activity restriction  
8 guidelines such as timing and setbacks for sensitive wildlife species  
9 including moose and caribou. These mitigation measures were  
10 addressed and expanded upon in the Government of the Northwest  
11 Territories responses to information requests.

02:46PM

12 Next slide. And since we're including wildlife, we'll just move on  
13 to the wildlife presentation.

14 [Inaudible].

02:46PM

15 Next slide and the next slide. So the potential effects of the  
16 project on wildlife and their habitats are discussed in chapter 19 while  
17 the potential effects on birds and bird habitat are outlined in chapter 20.  
18 The residual impacts on other wildlife, and wildlife habitats, as well as  
19 on birds and bird habitats, are predicted to be minimal. These impacts  
20 will not exceed conservation thresholds or threaten the long-term  
21 persistence or the viability of species at risk, species of conservation  
22 concern, or species of cultural or traditional importance.

02:47PM

23 The Government of the Northwest Territories focused its  
24 assessment on wildlife and bird species at risk, as well as on important  
25 wildlife areas and important bird areas. A draft wildlife mitigation and  
26 monitoring plan, found in volume 5 of the development assessment  
27 report, includes proposed mitigations, monitoring, and adaptive

02:47PM

1 management strategies for wildlife and birds.

02:48PM

2 The wildlife mitigation monitoring plan is largely based on the  
3 existing plan developed for the Tłıchq Highway. The Government of the  
4 Northwest Territories will continue to engage with Indigenous  
5 organizations and other affected parties during the development of the  
6 wildlife mitigation monitoring plan and the approval of that plan will be  
7 required before construction can begin.

02:48PM

8 The Government of the Northwest Territories has proposed a  
9 long list of mitigation to reduce the potential effects on wildlife and birds.  
10 These are primarily focused on reducing areas of new clearing and  
11 disturbance, conducting clearing activities in the winter, and controlling  
12 dust and noise. The government plans to conduct additional wildlife  
13 surveys before construction as currently specified within the wildlife  
14 mitigation and monitoring plan. For example, that would include  
15 pre-construction bear den surveys or beaver or lodge dam surveys.

02:48PM

16 There were quite a few information requests from Environment  
17 and Climate Change Canada regarding the assessment approach for  
18 birds. The Government of the Northwest Territories approach to  
19 assessing effects on birds is based on habitat associations  
20 supplemented by boreal Arctic modelling and automated recording unit  
21 data. This approach is appropriate and conservative.

02:49PM

22 The Government of the Northwest Territories is open to  
23 considering how additional available data such as that offered by  
24 Environment and Climate Change Canada can be used to help design  
25 project-specific monitoring plans.

02:49PM

26 Next slide; the final slide of the presentation. So we hope the  
27 technical information we provided clarifies the details of the developer's

02:50PM

1 assessment report. We appreciate the opportunity to review the  
2 interveners' concerns and perspectives, allowing us to offer updated or  
3 additional information and interpretations. In this meeting, we aim to  
4 address any remaining technical issues related to caribou and moose  
5 and wildlife chapters of the development assessment report.

6 So thank you very much for your time put into the information  
7 requests and your time and attention in this meeting. Thank you very  
8 much.

02:50PM

9 ALAN EHRLICH: Thank you, Mike. And thank you, Seth. Now  
10 there's a statement from Fred Andrews of the Tulita Renewable  
11 Resource Council.

02:51PM

12 FREDERICK ANDREW, JR: Okay, good afternoon. My name is Frederick  
13 Andrew. I am the president of the Tulita Renewable Resources  
14 Council, and I'm here today representing TRRC on behalf of our council  
15 and the people of Tulita. I want to thank you for an opportunity to  
16 address this important project.

02:51PM

17 The RRC roles and mandate. The Tulita Renewable Resources  
18 Council was established under Chapter 13 of Sahtu Dene and Metis  
19 Comprehensive Land Claim Agreement. The land claim is a  
20 constitutionally protected agreement that provides a legal framework to  
21 the government and management of the land resources and rights  
22 within the Sahtu settlement area. Specifically, the renewable resources  
23 council has an outline in section 13.9, are the primary community-based  
24 organization responsible for managing renewable resources at the local  
25 level. Under section 13.9.2, the RRC have the authority to make a  
26 recommendation on wildlife harvesting, land use, conservation  
27 measures to protect the environment.

02:52PM

1                   Furthermore, section 13.9.3 empowers the RRC to monitor,  
2                   enforce, and assist with the implementation of the land use and  
3                   conservation plan, ensuring sustainable use of renewable resources in  
4                   their respective area.

02:53PM

5                   The reason that sometime we speak is really important, but in a  
6                   meeting like this, sometimes you forget. And just sitting and being here  
7                   is so important and is dear to my heart because I grew up on the land  
8                   and I grew up with the animals and I need to write it down so that's why  
9                   I'm reading it to you guys.

02:53PM

10                  The RRC role is to uphold this power and responsibility balancing  
11                  the need for economic development with a preservation of our land,  
12                  wildlife, tourism, and way of life.

13                  Our support for the Mackenzie Valley Highway Project.

02:53PM

14                  RRC is generally supportive of Mackenzie Valley Highway  
15                  Project recognizing its potential to bring significant economic  
16                  opportunity and infrastructure improvement to Sahtu region. However,  
17                  our support is contingent upon a meaningful engagement with our  
18                  council and assurance that we will play a direct and significant role in  
19                  the project through the provision of wildlife and environmental  
20                  monitoring. And requests for TRRC to provide wildlife environmental  
21                  monitor.

02:54PM

22                  Okay, to ensure is the project aligns with the principle of the land  
23                  claim and address community concern, the TRRC formally request to  
24                  be hired to provide wildlife environmental monitoring service for the  
25                  duration of the project. Today, we are asking both Mackenzie Valley  
26                  Review Board and the Government of the Northwest Territories for  
27                  explicit and formal commitment to engage the Tulita Renewable

02:55PM

1 Resources Council and hire our wildlife environmental monitor for this  
2 project.

02:55PM

3 The commitment is essential to ensure that environmental and  
4 social impact of the highway project are managed responsibly and in  
5 alignment with the priority of the Tulita community. Such a commitment  
6 will demonstrate respect for the government work frame established  
7 under the land claim, uphold the principle of local involvement in the  
8 resources management, and set a precedent for many collaborations  
9 between the project component and Indigenous community.

02:56PM

10 Reason for our involvement. Legal mandate and authority. The  
11 RRC request's firmly rooted in the legal framework of a land claim and  
12 as per section 13.9.4, the Renewable Resources Council have the  
13 authority to act as a liaison between government, industry, and the  
14 community of matter of resources management. This authority  
15 positions the TRRC as an ideal body to oversee wildlife environmental  
16 monitoring during the highway project.

02:56PM

17 And number two, not for profit and a community-driven value. As  
18 a not-for-profit organization, TRRC is not motivated by the commercial  
19 interest. Our focus is on protecting the environment, representing the  
20 interest of a community, the assurance that a principle of sustainability  
21 guide all activity on our land.

02:57PM

22 And number 3, train, monitor, operational readiness. TRRC has  
23 a team of trained and qualified wildlife environmental monitor ready to  
24 be employed for this project. We also have the necessary vehicle and  
25 equipment to support efficient and effective monitoring operations. This  
26 readiness will ensure that the project will benefit from strong  
27 environmental oversight from the offset.

02:57PM

02:58PM

1                   Number 4, traditional knowledge and local expertise. TRRC  
2 integrated traditional knowledge and emphasize in section 18.1.1(a), a  
3 land claim which recognize the importance of Indigenous knowledge in  
4 managing renewable resources. This ensures that the project is guided  
5 not only by scientific standard by also by the wisdom and practice of  
6 those who have lived on the land for generations.

02:59PM

7                   And number 5, commitment to sustainability: Our mandate is to  
8 protect the land and its resources for the future generation. Engaging  
9 TRRC ensures that environmental stewardship remain a top priority,  
10 safe guarding economy system while enabling a responsible  
11 development.

02:59PM

12                   And number 6, employment capacity building. By hiring TRRC,  
13 the project can create a meaningful employment opportunity for local  
14 residents, build community capacity, and strengthen the ability of the  
15 Tulita district to participate in and benefit from resource development  
16 and project that result from the completion of a highway.

03:00PM

17                   And number 7, alignment with the Sahtu Dene and Metis Land  
18 Claim Agreement. Section 13.1.1(a), highlights the importance of a  
19 local community involvement in renewable resources management:  
20 Hiring TRRC directly supports this goal and ensuring the project aligns  
21 with a broader objective of a land claim.

03:00PM

22                   And in conclusion, the Mackenzie Valley Highway Project has the  
23 potential to bring lasting benefit to Sahtu region. But it must be  
24 implemented with care and respect for environment and the community  
25 it impact by explicitly by committing to engage the Tulita Renewable  
26 Resources and the board of GNWT can ensure this project is conduct  
27 in responsible and collaboration manner.

1                   We are prepared, equipment, and legally mandated to fulfill this  
2                   role, ensuring that traditional knowledge and the community concern  
3                   are integrated at every stage of the project.

03:01PM

4                   Thank you for your time and consideration. And with that,  
5                   [Indigenous language spoken] I want to just say in my own language  
6                   [Indigenous language spoken].

7                   So with that, I just wanted to say thank you very much for giving  
8                   me the time and listen to me. And mahsi.

03:02PM

9                   ALAN EHRLICH:           Mahsi cho, Fred Andrew, thank you for that. If  
10                  it's all right with you, I've asked Catherine to -- or perhaps Clémentine to  
11                  grab a copy of that so we can put it on our public record directly. We  
12                  expect that the -- you know, the recordings from that session will  
13                  capture it, but having the original, if you don't mind, we'll put it on the  
14                  public record so that we can refer to it, and then I'll ask the GNWT to  
15                  consider the commitment from there.

03:02PM

16                  So we've now moved on to the part of the day where we focus  
17                  on, among other things, one of our key lines of inquiry, impacts on  
18                  caribou and moose. Who would like to start questioning? Kanda,  
19                  please go ahead.

03:03PM

20                 KANDA KOLA GNAMA:    Thank you. I will share the questions with all  
21                 the time to ask the question with Ruari that is online. I will start off by  
22                 saying that the GTC is concerned that the proposed timeline of the  
23                 project, which could see project-related disturbances continue for up to  
24                 20 years, will have a greater adverse impact on boreal caribou which  
25                 are known to be highly sensitive creatures. It is anticipated that  
26                 sustained disturbance in the area is more likely to disrupt use of habitat  
27                 by boreal caribou and discourage the presence and movement in

03:03PM

03:04PM

1 proximity of the MVH corridor. Noise and disruption from construction  
2 activities are likely greater and impactful than the anticipated operating  
3 conditions of the highway. For example, it is highlighted that the  
4 anticipated use will be around 50 daily vehicle trips. However, the  
5 GNWT's assessment of the alternative timeline scenario in the public  
6 registry document number 251, precisely on page 30, suggests that on  
7 balance, the proposed timeline which spreads out the work over  
8 20 years is less impactful on boreal caribou. So I have two sets of  
9 questions.

03:04PM

10 The first ones will go to the GNWT ECC, and the second one will  
11 go to ECCC.

12 My first question is to ask the GNWT to confirm if traditional  
13 knowledge was used in the development of impact predictions for the  
14 alternative timeline assessment.

03:05PM

15 ALAN EHRLICH: Thank you. GNWT.

16 SETH BOHNET: I'm going to ask Kalo Stantec to speak to that  
17 one quickly, please.

03:05PM

18 ERICA BONHOMME: Erica Bonhomme. The presentation of the  
19 effects of the accelerated construction schedule was based relatively  
20 compared to those assessed in the DAR. So traditional knowledge is  
21 used throughout the developer's assessment report relative to, you  
22 know, caribou and moose and other wildlife, and so where it deals with  
23 the accelerated construction schedule, those predictions are made  
24 relative to what is presented in the DAR. So inherently, all of the  
25 information that's presented in the DAR is considered in that regard.

03:06PM

26 KANDA KOLA GNAMA: Okay, Kanda speaking again. In that case,  
27 how did the GNWT address the sensory disturbances and the reactions

1 of caribou to the different timeline scenarios?.

03:06PM

2 ERICA BONHOMME: Erica Bonhomme. Before I pass it over to Mike  
3 Settingington, I just want to comment, just make sure, that there is a  
4 clear understanding of how the construction of the project will progress.  
5 So the project is constructed -- the project, not the alternative. The  
6 project is constructed in three consecutive segments. So it may be the  
7 Deh Cho portion first. It may be one of the two Sahtu portions first. But  
8 the -- it is not the whole project that's constructed over 20 years. It's  
9 three segments that get constructed sequentially. Under the  
10 accelerated constructive alternative, we see all of those segments  
11 constructed at the same time. So that's just a clarification on how that  
12 construction works, and I'm just going to pass it over to Mike now.

03:07PM

13 MIKE SETTINGINGTON: It's Mike Settingington with Environmental  
14 Dynamics. If I understand your question specifically, it was traditional  
15 knowledge specifically considered in the accelerated construction  
16 versus the 10 year construction over 20 years? And the direct answer  
17 to that is no, that specific question was not considered with traditional  
18 knowledge. And I think the answer that Erica provided was the  
19 technical way that we approached it. And I think that was sufficient for  
20 this.

03:08PM

21 ALAN EHRLICH: Thanks for the concise and direct answer.  
22 Kanda.

23 KANDA KOLA GNAMA: Thank you. Which approach was considered  
24 more stressful to boreal caribou?

03:08PM

25 ALAN EHRLICH: Erica, would you rather deal with that?

26 ERICA BONHOMME: Go ahead, Mike. The question is which one is  
27 more stressful. I'll let you interpret that.

03:09PM

1 MIKE SETTERINGTON: Yeah, right. That's an interesting question.  
2 Mike Settingerton with Environmental Dynamics. [Inaudible] which is  
3 more stressful of years of a more intense operation, anything greater  
4 than something that happens over a 20-year period within a 10-year  
5 construction period, we would have considered animal adaptation  
6 versus a burst of construction activity. So I do not have a direct answer  
7 to that. We treated them equally.

03:09PM

8 ALAN EHRLICH: Kanda, do you want the answer restated,  
9 because it cut out the first part, or was it clear enough --

10 KANDA KOLA GNAMA: -- yes, please.

11 ALAN EHRLICH: Okay, so Mike, we lost the first few words of  
12 your response, and we couldn't tell which scenario you were referring to.  
13 Could you please repeat that.

03:10PM

14 MIKE SETTERINGTON: Sorry. Considering both scenarios, the  
15 accelerated construction period where there is more intensive activity  
16 across the entire footprint or broken up in different sections over  
17 10 years, we treated those as equal [inaudible] caribou behaviour react  
18 to more intense disturbances [inaudible].

03:10PM

19 ALAN EHRLICH: So, Mike, this time we heard the first -- we  
20 heard the second the first part and the first part the second time. We  
21 put it together. I think the key parts that we heard were that you  
22 considered them as being equally -- equal sources of disturbance and  
23 considering, among other things, the increased intensity to activity and  
24 the ability of wildlife to adapt to the disturbance level to a degree. Is  
25 that roughly what you said?

03:10PM

26 MIKE SETTERINGTON: Mike Settingerton, Alan, that is a good  
27 summary, thank you. I apologize for the broken responses.

1 ALAN EHRLICH: Personally, I blame Elon Musk for anything on  
2 the internet right now. I certainly don't blame you. But I think we've got  
3 the point across. Do you have another question.

03:11PM

4 KANDA KOLA GNAMA: Yes, thank you. I believe someone suggested  
5 after the break to have a parking lot where we can put some of the  
6 answers that we lose through internet breaks. So if he doesn't mind if  
7 he can type in that for us to have it, that would be great. I have my  
8 notes, but I would like to have that answer for that. Thanks.

03:11PM

9 ALAN EHRLICH: So, Mike, are you okay with submitting  
10 something to that effect in writing, perhaps in the chat in the Zoom, so  
11 that we can capture it participants to refer to later.

12 MIKE SETTERINGTON: Mike Settingington. Yes, we will type up  
13 something coherent.

03:12PM

14 ALAN EHRLICH: Thank you. If you are able to do it before the  
15 end of the day, that would be helpful. Thank you.

03:12PM

16 ERICA BONHOMME: It's Erica Bonhomme. I'm just wondering if I  
17 could follow up maybe with a question. So the comparison relates to --  
18 is presented in section 3.2.7.8 of the accelerated construction  
19 alternative. And sometimes it's helpful to just, you know, ask us  
20 questions that relate to some of the information that's been, you know,  
21 filed. You know, if there's something that can be clarified there,  
22 because I think what Mike said is probably explained there. So if it's not  
23 explained as clearly as it should be, that might be helpful to point us to  
24 that, you know, in reference to the material that was filed.

03:12PM

25 ALAN EHRLICH: Kanda, does this relate to a particular section?  
26 I don't think it's a tragedy if it doesn't but if it does, it sounds like it would  
27 be helpful to the developer to have a reference in the DAR or IR.

1 KANDA KOLA GNAMA: I provided the reference of the public record  
2 document which we have the timeline scenario on 251, and page 30.  
3 That's what I referenced before asking my question.  
4 So the second part of my question is for the ECCC. In relation  
03:13PM 5 to --  
6 ALAN EHRLICH: -- hold on. Just make sure ECCC, which is at  
7 the back of the room. Can you guys hear clearly because this next  
8 question is directed to you, and at the front of the room. Okay.  
9 KANDA KOLA GNAMA: In relation to the two timelines and construction  
03:13PM 10 scenarios, how does the relative risk to herd movement, patterns, and  
11 behavioral change with continued exposure to sensory and physical  
12 stressors or disturbance?  
13 BRIDGET CAMPBELL: I don't know who is speaking. Can you say that  
14 question again?  
03:14PM 15 KANDA KOLA GNAMA: Okay, I'll go slowly. In relation to the two  
16 timelines and the construction scenarios, how does the relative risk to  
17 herd movement, patterns, and behaviour change with continued  
18 exposure to sensory and physical stressors?  
19 ALAN EHRLICH: ECCC.  
03:14PM 20 KANDA KOLA GNAMA: And which scenario does ECCC reasonably  
21 think poses less risk for boreal caribou?  
22 BRIDGET CAMPBELL: Thank you for the question. This is Bridget  
23 Campbell with the Canadian Wildlife Service. And Environment and  
24 Climate Change Canada didn't really look very much at the noise and  
03:15PM 25 traffic -- how do I say it? The exposure to noise and traffic that would  
26 come with the two analyses. So we did, however, mention that the  
27 assessment didn't incorporate much of a noise and disruption

03:16PM

1 component in addition to the physical spatial component of the  
2 assessment. And we would be looking for more information from the  
3 Government of the Northwest Territories to fill in that gap. I can also  
4 bring this question to our caribou expert online and get back to you of  
5 any gaps in this response that I've just provided. Thanks.

6 ALAN EHRLICH: Thanks. Are you proposing that as an  
7 undertaking for Environment and Climate Change Canada? Or do you  
8 have someone online now who can respond to that.

03:16PM

9 BRIDGET CAMPBELL: Again, Bridget Campbell, the Canadian Wildlife  
10 Service. We have somebody online, and I believe I can get back to you  
11 in the next few minutes.

12 ALAN EHRLICH: The next few minutes would be just great.  
13 Thanks. Kanda.

03:17PM

14 KANDA KOLA GNAMA: Thank you so much. Last part of my question,  
15 does ECCC agree with the GNWT's assessment that boreal caribou are  
16 more likely to be adversely affected by an accelerated timeline as  
17 compared to the proposed timeline construction over four years versus  
18 over 10 years -- over 20 years time window?

19 ALAN EHRLICH: ECCC. And state your name please.

03:17PM

20 BRIDGET CAMPBELL: Bridget Campbell, Environment and Climate  
21 Change Canada, Canadian Wildlife Service. I will also pose this to our  
22 caribou expert online and come back to you in a moment. Thank you.

23 ALAN EHRLICH: Okay. While ECCC is caucusing and preparing  
24 to respond to that, is there a different question that another party has on  
25 moose and caribou? Kanda.

03:17PM

26 KANDA KOLA GNAMA: Yes. We are yet to be done Ruari online will  
27 ask question regarding caribou as well. If you don't mind.

1 ALAN EHRLICH: No, that's good. So Ruari, you're next, and then  
2 Rhea McDonald, I'm going to ask if you have a question because it  
3 seems like you do. I'll ask you after Ruari has asked his and answered.  
4 Ruari, do you want to go ahead.

03:18PM

5 RUARI CARTHEW: Thanks very much. This is Ruari Carthew here  
6 on behalf of Gwich'in Tribal Council. I'll keep my video off in hopes that  
7 it is more clear communication.

03:18PM

8 And this question relates to the question with caribou habitat  
9 disturbance levels and critical habitat, and it's very critical pieces for  
10 GTC and it's central to the discussion on how boreal caribou are likely  
11 to be affected by the project.

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12 So GTC believes that the intent of the Species at Risk Act and  
13 the NWT species at risk legislation support the position that the NT1  
14 population of boreal caribou should be considered at the broad  
15 population level and that the spatial and temporal assessment effects  
16 should be VC centered and not activity based as per what we've seen  
17 with the GNWT's modelling. And this sort of VC centered approach is  
18 also supported in guidance documents, not just the Review Board's  
19 guidelines but also the Impact Assessment Agency of Canada as well

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20 as in best practices from, for example, major projects coalition and  
21 there was another best practice in there too. I can supply if people are  
22 interested. The -- because the NT1 herd overlaps with the GSA --  
23 sorry, the Gwich'in settlement area and the Gwich'in traditional territory,  
24 the GTC is concerned that the effects will add to the significant

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25 stressors that already face boreal caribou and threaten the population's  
26 persistence and recovery efforts. And this would have a serious impact  
27 on Gwich'in rights and interests.

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1                   So boreal caribou are a trans boundary species that move in and  
2                   out of the Gwich'in settlement area, and they're highly sensitive, and  
3                   GTC is concerned of the ripple effects at the broader population and her  
4                   level if the health and productivity in the southern range are  
5                   compromised. And these questions are intended for both the federal  
6                   and territorial caribou specialists, and it is what do your experts  
7                   reasonably anticipate will occur as additive and synergistic effects on  
8                   the broader NWT range if movement and productivity in the southern  
9                   range is compromised by loss of critical habitat.

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10                   Now, I do have several questions. Is it more expedient if I ask all  
11                   of them, or do you want me to pause and wait for answers?

12           ALAN EHRLICH:           How many do you have, Ruari?

13           RUARI CARTHEW:           I have three [inaudible].

03:21PM

14           ALAN EHRLICH:           Let's go one at a time. And I'll ask the GNWT  
15           to respond to that one first.

16           MIKE SETTERINGTON:   Mike Settingerton with Environmental  
17           Dynamics. We agree with the assessment at the level of the NT1 and  
18           that is why we provided habitat disturbance values, and I'm going to  
19           refer you to our response MVEIRB number 52, specifically 52.1 -- or  
20           52-1. That is an update to table 10.18 in the developer's assessment  
21           report. And that shows the project's effect on habitat at various ranges  
22           over NT1, the southern range planning area, and the range planning  
23           area in the Sahtu. So I think that shows the effect at the level of the  
24           NT1 population and if gets specifically at your question.

03:22PM

25           ALAN EHRLICH:           Okay. ECCC.

03:22PM

26           RUARI CARTHEW:           Ruari Carthew. Could I have a quick  
27           clarification. Is it not correct that that table and that updated assessment

1 stops south of the Gwich'in settlement area?

2 MIKE SETTERINGTON: No, that table includes the entire NT1 boreal  
3 caribou range. So whatever is in the Gwich'in settlement area, in the  
4 NT1 range, is included within that NT1 range.

03:23PM

5 RUARI CARTHEW: Thank you very much. I'll look to that with  
6 interest.

7 ALAN EHRLICH: Would ECCC like to respond to Ruari's  
8 question?

03:23PM

9 MELISSA PINTO: Melissa Pinto with Environment and Climate  
10 Change Canada. Could we just ask Ruari to repeat the question so that  
11 we're clear. Thank you.

12 ALAN EHRLICH: Ruari, can you repeat the question, please,  
13 without the preamble.

03:23PM

14 RUARI CARTHEW: Yeah, sure. The question is what do -- sorry,  
15 Ruari Carthew here. The question is what do your experts reasonably  
16 anticipate will occur as additive and synergistic effects of the broader  
17 population of the NT1 range if movement and productivity in the  
18 southern portion is compromised by a loss of critical habitat associated  
19 with the project.

03:24PM

20 ALAN EHRLICH: Thanks. Melissa.

21 BRIDGET CAMPBELL: Thank you, this is Bridget Campbell with the  
22 Canadian Wildlife Service. I'm not getting a response right now from  
23 our caribou expert online. So could I make this, and the last two  
24 questions from the GTC, an undertaking to bring back?

03:24PM

25 ALAN EHRLICH: It depends. Do you anticipate getting a  
26 response over the next hour and a half, or is this an undertaking you're  
27 going to bring tomorrow? Because I can't be certain that all folks her for

1 the wildlife subject will necessarily be in the room tomorrow. So if  
2 you're able to do it in the next hour and a half, let's not make an  
3 undertaking of it, just get it done. But if you can't, let's turn that into an  
4 undertaking for the next day; is that all right.

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5 BRIDGET CAMPBELL: That works for me. Bridget Campbell again,  
6 Canadian Wildlife Service.

7 ALAN EHRLICH: Thanks. And I'm willing to bet Ruari's next  
8 questions may also be directed ECCC as well as the GNWT. Ruari,  
9 next.

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10 RUARI CARTHEW: Ruari Carthew. Thank you, both. How much  
11 disturbed habitat for boreal caribou is anticipated with future  
12 development scenarios and infrastructure developments in line with the  
13 GNWT's vision for economic development and diversification in the  
14 central Mackenzie Valley?

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15 ALAN EHRLICH: Well, you're not throwing softballs here, Ruari.  
16 So the question is about adduced development and the spatial extent of  
17 that as -- as a -- correct me if I'm wrong, Ruari, but as an indirect result  
18 of the road; correct?

19 RUARI CARTHEW: That's correct.

03:26PM

20 ALAN EHRLICH: Is that something you can answer here, or is  
21 that something you will need to take back?

22 SETH BOHNET: Sorry, can you get you to just repeat the  
23 question again, please.

03:26PM

24 RUARI CARTHEW: Absolutely. Ruari Carthew. The question is  
25 how much disturbed habitat is anticipated with future development  
26 scenarios and infrastructure developments in line with the GNWT's  
27 vision for economic development and diversification in the central

1 Mackenzie Valley?

2 I do have some considerations that can be used for those -- for  
3 the question in reference to PR215 number -- page 7, which would  
4 include the completion of the Mackenzie Valley Highway to the  
5 Dempster Highway, an increase in the oil and gas industry, an  
6 extension of the drilling season, increased tourism, and the GNWT's  
7 plan for the Mackenzie Delta Liquefied Natural Gas Development  
8 Project.

03:27PM

9 ALAN EHRLICH: So Ruari's question fits well into one of the  
10 points that the GNWT has made at earlier times which is one of the  
11 objectives of this project is to introduce economic opportunities and  
12 possibly potential development of the region. And so I see that potential  
13 development having considerable linkage base with the sort of spatial  
14 question that Ruari is trying to get at.

03:27PM

15 ERICA BONHOMME: Erica Bonhomme. While that is true and that is  
16 the objective of the project, it is not currently the project before the  
17 Review Board and, reasonably, there is nothing to speculate upon  
18 which that would suggest what that future development might look like.  
19 It's not helpful to create scenarios without any basis. And, currently,  
20 there is no basis for which to develop any sort of scenario. We've seen  
21 through many assessments in the past how those scenarios have been  
22 wildly wrong and, at this point, there's really no -- not only is it not  
23 required as best practice and through guidelines and environmental  
24 assessment, there's simply nothing upon which to base such scenarios  
25 right now. The GNWT has included in its assessment of cumulative  
26 effects, those project activities, those reasonably foreseeable project  
27 activities that it has some information upon which to base an

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03:28PM

03:29PM

1 assessment. So something that would suggest a timeline or a footprint  
2 or the type of activity that might interact in space and in time with the  
3 effects -- the residual effects of the project.

03:29PM

4 RUARI CARTHEW: Ruari Carthew. I will just again respectfully  
5 disagree. I think that the GNWT has made various predictions about  
6 the economic prospects in the future, and I do intend to bring some of  
7 them up during the discussion on economics tomorrow.

03:30PM

8 I also, to the point of standard practice, believe that there is a  
9 common double standard within many environmental assessments  
10 where the benefits of a project are lauded and used to justify the  
11 project, but the benefits themselves are excluded from the assessment.  
12 And I think that's what we're seeing here with the future plan to open up  
13 the Mackenzie Valley Basin, make it more available for development  
14 through this project, and likely extensions of the highway, and therefore  
15 I think that those other future plans and developments bear  
16 consideration under a cumulative effects scenario.

03:30PM

17 ALAN EHRLICH: We got that. Thanks, Ruari, for putting that  
18 clearly. Todd Slack, of D l n  Got' n  Government, is your comment  
19 about this particular point? Because otherwise we've got a line-up of  
20 questions. Okay, Todd, go ahead, because this relates specifically to  
21 this question of Ruari's,

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22 TODD SLACK: Todd Slack, D l n  Got' n  Government. And  
23 yes, I'll be direct.

03:31PM

24 So just to be clear, I see the gap or the distinction between the  
25 two perspectives. And I think this is a question for Mr. Bohnet. So the  
26 new business case has just gone to contract. Within that new business  
27 case, is it the GNWT's direction that there will be no economic

1 developments, such as the ones Ruari just mentioned, as part of that  
2 business case development?.

03:32PM

3 SETH BOHNET: At this point in time -- sorry, Seth Bohnet,  
4 GNWT. You're correct, the GNWT has taken the step to -- actually with  
5 SSI, we're looking at updating the Mackenzie Valley Highway business  
6 case. We have not yet met with -- the procurement has not closed. It's  
7 still underway. We have not met with contractor yet. Our intent with  
8 updating that business case is to focus on the direct impacts of the  
9 project. So direct benefits through construction, operation,  
10 maintenance, of our project and updating the financial figures and direct  
11 impacts and benefits of that.

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12 TODD SLACK: Thanks, and just to be clear, to restate that,  
13 GNWT will be providing direction to the contractor that economic  
14 benefits, such as the GTC has asked about here, will not be considered  
15 as part of the business case? Sorry, that was Todd Slack with DGG.

03:32PM

16 ALAN EHRLICH: So if I understand the question correctly, and  
17 I'm summarizing it kind of generally here. If part of your goal is to  
18 induce development, then are you going to consider the good and the  
19 bad of the additional development?

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20 SETH BOHNET: So I would suggest that in our discussions with  
21 the contractor, we would look at exploring potential for induced benefits  
22 however with the information that's currently available.

23 ALAN EHRLICH: Also induced impacts?

03:33PM

24 SETH BOHNET: Yes, any information on current projects, other  
25 developments that will be directly benefitting from the project.

26 TODD SLACK: I heard the part about induced benefits. But I  
27 was just wondering if you're looking at beneficial and adverse results

1 from induced development, because I think that's kind of what they're  
2 trying to get at. Looking at the good and the bad from induced  
3 development, it creates a combination; is that fair to say? Pros and  
4 cons, not just the pros? Alan, it's Todd here. Maybe I can sharpen the  
5 question.

03:34PM

6 ALAN EHRLICH: Sharpen the question but just wait -- okay, go  
7 ahead, Todd.

8 TODD SLACK: So the past business cases talk about the  
9 induced benefits that are not -- well, maybe back then they were  
10 somewhat reasonably foreseeable. That's the key term. Your EA staff  
11 should be telling you this. Ruari is asking about things that, you know,  
12 wouldn't be considered reasonably foreseeable. But this is a basin  
13 opening project. So in your next business case that you're going to do  
14 that is out for contract, and I think if it hasn't closed will close this week,  
15 are you going to instruct the contractor to consider things that would be  
16 considered not reasonably foreseeable by the current definition? You  
17 know, drilling, mines, oil and gas, as opposed to projects that are  
18 reasonably foreseeable which need -- 100 percent need to be. You got  
19 to be clear on this, man.

03:34PM

03:34PM

20 SETH BOHNET: Thanks. Seth Bohnet, GNWT. I'm going to  
21 have to -- I am going to take this one away quickly. So I need some  
22 time to just connect.

03:35PM

23 ALAN EHRLICH: Fair enough. Do you think you might be able to  
24 give us that tomorrow? Or we're going to get into economics of the  
25 project, and that might not be a bad time to do it. But I get the point that  
26 the additional activity has a bearing on sensory disturbance to caribou  
27 potentially, but this also will fit reasonably into the socio-economic stuff.

03:35PM

1 So Todd, if it's okay with you, I think I want to hold that off until  
2 tomorrow. And that gives you some time to ponder and give it due  
3 consideration. Okay Ruari, how many more questions do you have,  
4 Ruari?

03:36PM

5 RUARI CARTHEW: I'm Ruari Carthew. I'm satisfied with the  
6 conversation at this point. I am happy to defer other questions until  
7 tomorrow's talk. Thank you.

8 ALAN EHRLICH: We will accept that, because it certainly will help  
9 our schedule.

03:36PM

10 Before I move on to Rhea McDonald from the Norman Wells  
11 Renewable Resource Council. I just want to note that -- because  
12 originally we're only going to 4 and now we're going to 5, is there  
13 anyone who really has to leave at 4 who wants to ask a question about  
14 caribou, moose, other wildlife, or so species at risk that can't wait past  
15 4? Because if so, I'll put you at the front of the line.

03:36PM

16 Okay, Rhea, it's all yours, what is your question; thank you for  
17 waiting.

18 RHEA McDONALD: Rhea McDonald. It's just in regards to  
19 monitoring and the contract that was committed to HRN. It says in the  
20 contract that the monitors are to be hired. We talked to David with HRN  
21 about that, and he said we got to talk to GNWT. So we got ahold of  
22 GNWT and they said, well, it's the responsibility of the contractor. Now,  
23 if you listened to Fred Andrew, you know, I don't think we're asking for  
24 much but to do our mandate. And as for caribou, like, I worked on -- I  
25 worked on Husky -- Husky 18 kilometres of road, and there were  
26 caribou there, but as they're -- as the operation progressed, there was  
27 less caribou around and they were -- they were more so towards the

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1 end of the project where there wasn't so much activity.

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2 Another thing I wanted to bring up is if you say caribou don't get  
3 displaced, well, the year of that activity, we have a lake that our family  
4 goes to hunt in every fall for way before my time. And there's an island  
5 in the middle of that lake. That's where we have our camp, our cabins,  
6 our staging area, hang our meat, da da da da. And that fall -- excuse  
7 me. That fall, my uncle and one of my cousins had went out a few days  
8 before the rest of the family, and my uncle stepped outside his cabin.  
9 There was two caribou right there. Like, literally two caribou right  
10 outside the door. He said, my girl, they were so close I wanted to invite  
11 them in for coffee. Like, this is a place I've been going hunting for my  
12 whole life and I had never seen caribou on the shores, on the --  
13 anywhere. It was always moose. So if you think construction -- I mean,  
14 that's just 18 kilometres of road. If you think construction doesn't  
15 displace animals or caribou then, yeah, I don't think, like -- I don't know  
16 what the answer is here, but one of my questions was the monitoring  
17 aspect of it and why so far there hasn't been any monitors from Tulita or  
18 Norman Wells on this project when it sayings something right in the  
19 contract?

03:39PM

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03:40PM

20 Anyway, as for displacement, I think that I'll leave that more to  
21 the experts. But as far as I know, the effects on caribou are -- I don't  
22 know. But anyway, that's all I have to say about that.

23 There was another question I had earlier but that was towards  
24 the approaches on bridges, and I think that question was answered. So  
25 I didn't need to ask that. Yeah, thank you.

03:41PM

26 ALAN EHRLICH: Thank you, Rhea. Would the GNWT like to  
27 respond to Rhea's first question regarding the hiring of monitors?

03:42PM

1           SETH BOHNET:            Yeah, I would like to. Oh sorry, it's Seth  
2           Bohnet, GNWT. I would start by providing clarification that we have and  
3           do continue to use community resources to help us in the delivery of our  
4           technical studies and the research that we've done to date on the  
5           project. So we do have opportunities for community monitors to  
6           participate in activities such as the -- specific examples would be  
7           archaeological impact investigations, the bear den surveys, activities  
8           such as those.

03:42PM

9                        As it relates to moving forward, we have outlined in our wildlife  
10          management and monitoring plan and as that -- using that as a  
11          mitigation measure -- or mitigation, the opportunity to continue to talk  
12          with communities and the renewable resources councils in particular on  
13          additional opportunities for involvement in management monitoring  
14          moving forward.

03:43PM

15         ALAN EHRLICH:            Okay, thanks. Now I would like to ask John  
16         Nishi of Eco Borealis who is a consultant for the board.

17         RHEA McDONALD:           Can I respond to that?

18         ALAN EHRLICH:            Sure, Rhea, go ahead.

03:43PM

19         RHEA McDONALD:           I'm not talking about the archeological and so  
20         on and so forth. I am talking about the day-to-day operations of  
21         equipment and the quarries and such as that. When I was out at  
22         Husky, there was a monitor there on day-to-day basis watching and  
23         then -- and making sure that things were being done according to  
24         their -- sorry, I got a brain fart there. According to their licence and  
25         permits. So as far as the archaeological, I understand that, and I know  
26         that there's been meetings and stuff with the RRCs, but I'm talking  
27         about the day-to-day operations of the construction of the road.

03:44PM

03:45PM

1        SETH BOHNET:                So yeah, there is two different aspects of  
2        community involvement in the project. One is, as I referenced, the  
3        direct opportunities through the management monitoring programs that  
4        the GNWT would be implementing. The other is through the contracting  
5        requirements put on our contractors as they deliver the project  
6        construction activities. So there are two different aspects.

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7                We have outlined in the DAR that we are looking to develop a  
8        corridor working group that allows us to look at community readiness to  
9        identify resources that could be made available to our contractors and  
10       support us as we deliver the project.

11       ALAN EHRLICH:                Thanks, Seth. Now over to John Nishi. I've  
12       also been advised if there is feedback, the key is to move closer to the  
13       microphone, not further from it.

03:46PM

14       JOHN NISHI:                    Thank you. John Nishi for the Review Board.  
15       The first question that I had was hoping to clarify some recent  
16       responses to the board's information request, and there's two figures  
17       that were prepared on the seasonal minimum convex polygons of  
18       collared boreal caribou that are associated within the Mackenzie Valley  
19       Highway proposed route. And there was a figure of 56-1 in the

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20       information requests that shows the caribou crossing locations. And so  
21       my question is to the GNWT who would have conducted the study and  
22       their technical team, and the question is are your conclusions and  
23       inferences that are shown in that slide, essentially show where the  
24       caribou were in different seasons and where they were crossing the  
25       road, is that result really reflective of what the caribou in that area or  
26       doing, or is it largely a result of the collared animals that you collared in.

03:47PM

27       The reason I ask that is when you look at this figure there's a pretty big

1 gap between the northern portion of the study area and the southern  
2 part. And is that just because no caribou was collared that uses that  
3 area, or is that an area that's really not used by caribou? So I was  
4 hoping to get some insight on that question. Thank you.

03:47PM

5 MIKE SETTERINGTON: It's Mike Settingerton with Environmental  
6 Dynamics. I'll get Kerman to talk about this information first and then  
7 we might have some additional commentary from the GNWT directly.

8 KERMAN BAJINA: This is [audio].

03:48PM

9 ALAN EHRLICH: We're not reading you loud and clear. Can you  
10 try that again? Kerman, I don't think we're hearing you very clearly. Can  
11 you just try that again, please.

12 KERMAN BAJINA: Sure, can you hear me now?

13 ALAN EHRLICH: Sure, better.

03:48PM

14 KERMAN BANJINA: Apologies for that. Just let me know if it is  
15 breaking out. So this figure over here summarizes the convex poly --

16 THE COURT REPORTER: -- Can you ask him to speak up, way up,  
17 please.

18 ALAN EHRLICH: Sorry, we're not getting you on the transcript.

19 THE COURT REPORTER: He has to start over.

03:49PM

20 ALAN EHRLICH: Can you just move closer to your microphone  
21 and speak a little louder, please. And start again if you would. Thank  
22 you.

23 KERMAN BAJINA: [Audio].

24 ALAN EHRLICH: Okay. Try again, please.

03:49PM

25 KERMAN BAJINA: Are you able to hear me?

26 ALAN EHRLICH: We can hear you now.

27 KERMAN BAJINA: All right. So I'll start from the beginning. This

03:50PM 1 is a figure of the minimum convex polygons that were used from  
2 collared caribou in the assessment of boreal caribou movement. And  
3 [inaudible]. And caribou. I mean, Tulita and then towards [inaudible].  
4 And this is the collared caribou in three specific seasons, in calving,  
5 early to mid winter, and then late winter. The other figure that John  
6 Nishi was referring to, figure 56-1, shows location crossings from GPS  
7 collared caribou across various [inaudible]. And, once again,  
8 representative of collared caribou locations, and that is the data that is  
9 available to us for this assessment.

03:50PM 10 ALAN EHRLICH: Just to clarify, my understanding of John Nishi's  
11 questions, were those polygons separated by so much because caribou  
12 don't use the area in the middle or just because you only had collars on  
13 caribou at the top and bottom?

03:51PM 14 SETH BOHNET: I'll pass this off to James Hodson to answer  
15 from GNWT.

16 JAMES HODSON: Yeah, so I think as he is explaining those  
17 minimum calling effects polygons were --

18 ALAN EHRLICH: Get closer to your mike, please.

03:51PM 19 JAMES HODSON: The polygons on the map were only for specific  
20 seasons, not the whole year. If you look in volume 2 appendix 10a,  
21 there's a figure that shows the collar data from a previous collaring  
22 program that was before this project. And then from collars that were  
23 put out for this project, it does fill out that gap in the middle and  
24 considering the most recent data up to this year, which I know is not in  
03:51PM 25 the DAR. Yeah, there's no gap. Like -- but there's definitely -- most of  
26 the collared locations are to the east of the Franklin Mountains. We  
27 don't have a lot of collar locations occurring really close to the

1 Mackenzie Valley Highway alignment and very few crossings of those  
2 collared caribou. Thanks.

3 ALAN EHRLICH: Thanks, James.  
4 John?

03:52PM

5 JOHN NISHI: Thanks for the answer, James. John Nishi for  
6 the Review Board. So as Mike Settingington presented earlier, he said  
7 there's essentially three sort of aspects of the wildlife monitoring  
8 mitigation plan. One is to continue the collar-based studies for caribou  
9 to assess movement. And I'm wondering how are those study  
10 objectives going to be achieved and over what time period?

03:52PM

11 Specifically, I'm wondering kind of related to the earlier question  
12 of, you know, are there gaps in coverage, so is the study designed to try  
13 and fill in more areas to make monitoring more robust, and -- and will  
14 composition surveys on caribou also be done to track trend of  
15 populations.

03:53PM

16 My understanding is collars can be used in combination with  
17 composition surveys to monitor population trends, so I'm wondering if  
18 that is the objective of the monitoring that is being considered for the  
19 WMMP. Thank you.

03:54PM

20 THE COURT REPORTER: Sorry, did you said "considered for the web"?

21 ALAN EHRLICH: WEMP, w-e-m-p.

22 THE COURT REPORTER: Okay, thanks.

23 ALAN EHRLICH: That last acronym was a w-m-m-p.

24 JAMES HODSON: Okay, thanks. James Hodson with ECC.

03:54PM

25 So, yeah, the plan or the proposal is to continue the boreal  
26 caribou monitoring program. The objective in the first years was to put  
27 out 25 collars along the alignment between Wrigley and Norman Wells

03:54PM

1 and to try and keep that sample up over time through construction and  
2 into operations. As part of that program, we have been going out and  
3 doing the composition surveys every spring for those collared caribou  
4 along the alignment. And we're using that information along with the  
5 annual female survival rates to calculate the population trend of caribou  
6 in the study area.

7 ALAN EHRLICH: Thanks, James. John.

8 JOHN NISHI: John Nishi for the Review Board.

03:54PM

9 Alan, I'm just wondering, can I ask a couple more questions? I  
10 know that -- I imagine there's a lot more that people want to ask in the  
11 audience, so --

12 ALAN EHRLICH: I won't count you asking me if you can ask as  
13 one of your questions. But, yeah, you're good for two.

03:55PM

14 JOHN NISHI: Okay, thanks, James. So there was a moose  
15 survey that was done recently in 2021 that was provided as information  
16 to the DAR, and it's focused on the local assessment area which is  
17 essentially 15 kilometres on either side of the proposed route. And the  
18 result was they estimated about 2,000 moose in an area of 11, 12,000  
19 square kilometres, which was about a density of 17 moose per hundred  
20 square kilometres.

03:55PM

21 My question is, is that scale of moose monitoring the scale -- is  
22 that area going to be -- continued to be monitored through the wildlife  
23 management monitoring plan?

03:55PM

24 And the second part of that question is, if so, is that the  
25 management area for moose that's going to be considered for  
26 assessing impacts and addressing questions that are going to come up  
27 with respect to harvest rights for sustainable harvesting?

1 Thank you.

03:56PM 2 JAMES HODSON: Okay. James Hodson with ECC. So the  
3 proposal and the draft WMMP for the project is to repeat the aerial  
4 moose surveys during construction, during operations, probably using a  
5 similar study area for comparison.

03:56PM 6 The second part to your question, though, is more about the  
7 harvest management end of it. So right now, like the wildlife  
8 management zones that are used for managing resident moose  
9 harvest, are split into Zone D and Zone S. So Zone D is the Deh Cho  
10 region; Zone S is the Sahtu region. And so that would likely continue  
11 within those two separate zones as it currently is managed.

12 ALAN EHRLICH: Thank you. John.

13 JOHN NISHI: John Nishi for the Review Board.

03:57PM 14 So I take it, then, that will be the spatial area for which moose will  
15 be managed and monitored for the project's life. Is that a fair  
16 statement?

03:57PM 17 JAMES HODSON: I guess so. I mean the WMMP is draft still, so  
18 it's open to -- there's room for discussion and refinement of the study  
19 area for moose if people have ideas about how that should happen in  
20 the future. Results would be compared against other moose surveys in  
21 other areas as well to get the more wholistic picture of what's going on.

03:58PM 22 JOHN NISHI: Thanks, James. John Nishi for the Review  
23 Board. Yeah, thanks for that answer. It's helpful because I think what it  
24 gets to for me is that, you know, one of the points of discussion, I  
25 guess, and if you follow the information requests, this is a question  
26 about spatial scale and whether -- you know, so on the one hand, we've  
27 heard people talking about the NT1 range for boreal caribou, which is

03:58PM

1 essentially, you know, the western half of the Northwest Territories, the  
2 whole Mackenzie Valley, and we've heard in the information requests  
3 that there's no compelling biological or, you know, natural boundaries to  
4 bound either the boreal caribou or moose, and so it leaves -- there's  
5 uncertainty, then, in terms of, okay, you know, there's a back and forth  
6 about what the predictions are going to be for boreal caribou, what the  
7 spacial scale is, is a really key part of that question.

03:59PM

8 So I just wanted to kind of comment on that and to make that  
9 point that the scale of monitoring for both moose and boreal caribou is  
10 really going to, A, have an influence on the predictions and has  
11 implications for monitoring and management.

03:59PM

12 And so the other question that I had was more to do with  
13 monitoring and monitoring with respect to harvesting, whether it's boreal  
14 caribou or moose. And I very much appreciate the comments that  
15 Mr. Andrews -- Mr. Frederick Andrew made earlier about how the Tulita  
16 Renewable Resource Council was very interested in being fully  
17 engaged in monitoring. We've heard from from the Gwich'in, and I think  
18 we've heard that from other nations as well.

04:00PM

19 So my question -- and actually, sorry. Mr. Bohnet also  
20 mentioned that as part of, you know, future development of the WMMP  
21 that community engagement is going to be a key part.

04:00PM

22 So I guess my question is both to the GNWT and to the  
23 Indigenous government organizations which is -- for the GNWT, are  
24 there any sort of specific co-management kind of frameworks or  
25 models? Because we're -- this highway is -- occurs within sort of a  
26 settled land claim and unsettled land claim. Is there a specific kind of  
27 co-management approach that you're thinking of when you implement

1 the WMMP?

04:01PM

2 And the question that I have for the Indigenous communities and  
3 resource councils and nations is what sort of engagement do you want  
4 to have and what sort of commitments do you see being useful and  
5 helpful to ensure that you're engaged and involved and participating not  
6 just in the monitoring but in the management decision aspects of things  
7 like harvesting moose and caribou? Thank you.

8 ALAN EHRLICH: GNWT.

04:01PM

9 SETH BOHNET: Yeah, thanks for the question. Seth Bohnet,  
10 GNWT. So things that we can reference through, again, our wildlife  
11 management and monitoring plan and continued engagement, we do  
12 have already under regular territorial legislation reporting requirements  
13 for resident and nonresident harvesters. So those programs are  
14 existing programs that will continue.

04:01PM

15 I can also reference, you know, working collaboratively with the  
16 Indigenous organizations. So as a reference with the Tłıchǵ Highway,  
17 we work with the Tłıchǵ Government, and they have been looking at  
18 developing and implementing a voluntary monitoring program for the  
19 Indigenous harvest. But that's something that we're working with them  
20 to look at.

04:02PM

21 ALAN EHRLICH: Thanks. John.

22 Fred Andrew, can you help respond to that?

23 FREDERICK ANDREW, JR: Yeah.

24 ALAN EHRLICH: Thank you.

04:02PM

25 Your mic, we're not picking you up.

26 FREDERICK ANDREW, JR: Okay. I have a question for these people  
27 over here.

1 Just not too long ago, a request for the RRC to provide a wildlife  
2 environmental monitor to ensure they're approaching the lines with a  
3 principle of land claim and address community concern the RRC  
4 formally request to be hired to provide a wildlife environmental  
5 monitoring service for the duration of the project.

04:03PM

6 What I wanted to know is I think I really need to know from you  
7 guys when and -- because these major -- the Mackenzie Highway is  
8 going right through my backyard, and I need to know -- because we  
9 have -- we have all the necessary monitoring all in place, even the  
10 vehicle too. So I need to know, and I'm just asking if this can be -- the  
11 monitor service being awarded through to the RRC.

04:03PM

12 But when I read this before, you guys never answered me. And I  
13 think I got the right to know. I need to know who went because it's  
14 going through my hometown, right. It's right in the backyard.

04:04PM

15 ALAN EHRLICH: GNWT.

16 SETH BOHNET: Thank you very much, Fred. Seth Bohnet,  
17 GNWT. So, again, as outlined in the developer's assessment report,  
18 the plan is to finalize the WMMP, to work with communities to flesh out  
19 specific monitoring and management objectives and programs within it  
20 on our -- again, that is planned to be completed and needs to be  
21 approved prior to construction starting. So that work is currently  
22 underway and ongoing.

04:04PM

23 ALAN EHRLICH: So if I understand you correctly, the GNWT's  
24 not prepared to make a commitment to that effect until just prior to  
25 construction starting?

04:04PM

26 SETH BOHNET: We're continuing to engage on the  
27 development and the finalization of the WMMP which will include the

1 monitoring and management requirements going forward.

2 ALAN EHRLICH: Mr. Andrews, is that a response that's clear  
3 enough for you?

04:05PM

4 So they're not quite ready to commit to that now, but they're  
5 willing to commit to continue to talk about it and will make decisions  
6 before construction, if that's -- I think I've characterized that correctly.

7 Yeah, GNWT's confirmed; that's what they're saying.

8 FREDERICK ANDREW, JR: Okay, yeah. Mahsi.

04:05PM

9 ALAN EHRLICH: Okay, thanks. We got one more question from  
10 John Nishi, and then we're going to PKFN.

11 Sorry. Then we're -- after John Nishi, we're going to Jesse  
12 Tigner from the Délı̨nę Renewable Resource Corporation and then  
13 DKFN.

04:05PM

14 JOHN NISHI: Thank you. John Nishi for the Review Board. I  
15 just wanted to kind of touch on the issue of harvest. I know we're going  
16 to talk about that tomorrow as well, but just with respect to moose  
17 management, moose impact effects, and boreal caribou harvesting and  
18 effects as well. There was an interesting paper that was published by

04:06PM

19 Mark Boyce, who is a professor at the University of Alberta, and it's  
20 called "Managing Moose Harvest by the Seat of Your Pants", and we  
21 can make that available, but it was published about ten years ago. And  
22 the point of the paper was that for species like moose and I think for  
23 caribou where surveys are expensive, they're difficult to have a high  
24 level of precision, it's difficult to detect trend reliably, that especially in  
25 the situation where you're harvesting the animals, that information on  
26 harvest is and can be very important.

04:06PM

27 So in the context of this project and in the context of moose and

04:07PM

1 caribou where these animals are important species for subsistence use  
2 by Indigenous people -- and I think that's as outlined in the DAR and in  
3 the information requests that there's going to be an -- a voluntary  
4 harvest management sort of reporting to be done or to be considered,  
5 so I guess the question, again, kind of goes to the GNWT as well as if  
6 any of the Indigenous government organizations would like to comment  
7 about the value of that, the sensitivity of that information, but how -- I  
8 guess the question is, is it important enough to monitor in a meaningful  
9 way so that the decisions around the impacts of this project and the  
10 secondary impacts that may be associated with access and harvesting  
11 are tracked well and tracked by people that are actually on the land.  
12 Thank you.

04:07PM

13 ALAN EHRLICH: I'm going to ask the GNWT to respond.

04:08PM

14 And, John, I might ask you to summarize the question in a more  
15 concise way because there was a little bit of a scenic route that you got  
16 there with. But I think I've got it.

17 GNWT, would you be more comfortable waiting for that question  
18 to be restated before responding?

19 SETH BOHNET: Sure, please.

04:08PM

20 ALAN EHRLICH: Okay. Try it just one more time, if you would,  
21 John.

04:08PM

22 JOHN NISHI: All right. So I'm wondering what the strategy  
23 will be for monitoring harvesting of moose and caribou not just for the  
24 resident harvesters but for Indigenous communities. And in that  
25 context, I believe it's important to have that dialogue early so that that  
26 program can be done and is trusted. Thank you.

27 ALAN EHRLICH: Read you loud and clear. Thank you.

1 GNWT.

04:09PM

2 JAMES HODSON: Okay. So I think in one of or a few information  
3 request for responses, like, in -- with regards to the resident harvest, we  
4 have the resident hunter survey program which has been going on for  
5 years now which will continue and does provide some information on  
6 harvest levels of moose and boreal caribou. I think it is really important  
7 to get at the Indigenous harvest part of it as well. And what we did for  
8 the Tłı̨ch̨ Highway was to support -- provide support to Indigenous  
9 governments and organizations to develop their own voluntary harvest  
10 monitoring program. So I think the same approach is being proposed  
11 here for this project. That information is also very valuable to get the  
12 whole picture of the level of harvest pressure of species.

04:09PM

13 ALAN EHRLICH: Thanks, James.

04:10PM

14 And John also asked if any Indigenous governments would like  
15 to weigh in on how they feel about harvest monitoring not just for  
16 resident hunters but also for Indigenous harvest.

17 RHEA McDONALD: It's Rhea MacDonald here.

18 ALAN EHRLICH: Oh, Rhea, go ahead, and then Tim Lennie is  
19 next.

04:10PM

20 RHEA McDONALD: I think it's important to be monitoring both, and I  
21 do think it's the responsibility of the RRCs to do that. So if we can get  
22 support in making a plan or a management plan on how to do that -- I  
23 know for -- from the Norman Wells, our perspective, that's something  
24 we've been wanting to do for the last couple years, and if we could get  
25 support to do it, I think that's great because if you don't have the -- I  
26 mean, it's got to be voluntary. The hunters got to volunteer their  
27 information. And we can't force them to, but we can tell them the

04:11PM

1 importance of it, I guess. I think the only way you're going to know the  
2 impacts is if you monitor both, not just resident.

3 So, yeah, if we can get support to create something like that, that  
4 would be great.

04:11PM

5 ALAN EHRLICH: Thanks. GNWT, is that the kind of thing the  
6 GNWT would be willing to consider supporting in response to the  
7 impacts -- in response to monitoring the impacts of this project?

8 SETH BOHNET: So, yes, we've already said it and outlined again  
9 in our draft WMMP that that's the type of program, that's the type of  
10 thing that we would look in to explore moving forward.

04:12PM

11 ALAN EHRLICH: Okay, great. So what we hope, then, is to keep  
12 the conversation going between you guys on that topic.

13 Jesse -- oh, Tim Lennie is next. So a quick response to this, and  
14 then, Jesse, we'll get to you in a second.

04:12PM

15 Tim, go ahead, please.

16 TIM LENNIE: Tim Lennie from Pehdzeh Ki First Nation. Just  
17 a short question. I realize that what they're saying I know in the -- in  
18 their settlement agreements, there's certain agreements that are to be  
19 met. I know with that part of it, with the land claims, there are certain  
20 procedures that you have to follow, an agreement that you need to  
21 establish. And that's what I'm -- I've been trying to say is that we're not  
22 in the same boat here.

04:13PM

23 So would that be -- we've been very [Indigenous language  
24 spoken] very conservation mindful. [Indigenous language spoken]. So  
25 our Elders is, Always take care of the land. And one of the big ticket --  
26 whether any kind of infrastructure that happen within the Pehdzeh Ki  
27 have always requested monitors, monitors throughout any kind of a

04:13PM

1 project. I'm not too sure if the government would provide -- and I guess  
2 that I'm getting it now, if they would provide that kind of program to an  
3 unsettled community. So -- because there are agreements specific to  
4 this in the Sahtu land claim.

04:14PM

5 So I'm just trying to wrap it around in my mind, how would you  
6 engage Pehdzeh Ki First Nation in regards to monitoring.

7 And at this time, you know, we're also looking at -- with the new  
8 leadership, young leadership, they're looking at guardianship. We  
9 started to use guardians, hey, instead of monitors. So we have a  
10 guardianship program that has -- we work within the N'deh but we -- I  
11 understand we'd like to make it more inclusive within Pehdzeh Ki. And  
12 that -- and that's just not monitoring. Once the project starts, that's  
13 when we want our monitors, just like everybody else started. So to  
14 mitigate, I guess, to review certain things.

04:14PM

04:15PM

15 And we had the same program with Enbridge when there was a  
16 leak there. So the program was very valuable and very, very valuable  
17 to community, and it gave a lot of our young people an opportunity to  
18 get into that field and to understand what that field was about.

04:15PM

19 So as Dene people, you know, protect the land for future  
20 generations. So what do you do with that? You know, so we got to  
21 make sure that we're very clear on where we're going with all this. It's  
22 just one -- not just one issue. Because in the world that we work in as  
23 Indigenous people, it's got to be wholistic. [Indigenous language  
24 spoken]. Everything lives on everything, even us humans. So we all --  
25 whether species, the bugs, you know, a rabbit, we all need to integrate  
26 together because we're a species too. So let's not kill out all the little  
27 small ones here, okay, and leave some for the future. I just -- I just

04:16PM

1 wanted to bring that out because I really want to stress that.

2 And [Indigenous language spoken]. It's always protecting the  
3 land and have that sustainable development. And so that's still in our  
4 mind, and hopefully it's in the minds of the young ones too.

04:16PM

5 And I'd just like to thank you for that. And if you're going to apply  
6 the monitoring program to all Indigenous community -- and, like I says,  
7 the capacity there -- in our words, the only thing I see is money. You  
8 know, you got to pay somebody to do something. So I guess that's  
9 where I'm coming from as an Indigenous community. We just don't

04:16PM

10 have that capacity unless we have a bigger written contract with each  
11 other, right. So we don't have that now. So let's work it out.

12 We're good people to work too. Yeah. We laugh once in a  
13 while.

14 ALAN EHRLICH: Thank you very much, Mr. Lennie.

04:17PM

15 The question, then, that I'll ask the GNWT based on what we just  
16 heard is, is the GNWT prepared to offer the same opportunities with  
17 respect to Indigenous monitoring of voluntary Indigenous monitoring of  
18 caribou harvest in addition to resident harvest that it will offer to  
19 communities without settled land claims as it will offer to communities in  
20 settled land claims with respect to the same project.

04:17PM

21 SETH BOHNET: Short answer is yes.

22 ALAN EHRLICH: Thank you. Great, concise answer.

23 One point for PKFN that I forgot to mention earlier: You guys  
24 mentioned that you had a protected area or protected areas that you've  
25 been fighting for for a while, and even though they are not formally  
26 protected, the reasons for their protection are still very important.

04:17PM

27 If you can give us anything on the record just to show which

1 areas we're talking about, submit that to the board. If you're willing to  
2 put it on the public record, great. If it needs to be under confidential  
3 cover, that's fine too. But it would be useful to know how that fits in with  
4 the proposed project.

04:18PM

5 Okay. Next, I'm going to go to Jesse Tigner for the Délı̄nę  
6 Renewable Resource Council.

7 You go ahead, Jesse.

8 JESSE TIGNER: Hi, thank you. This is Jesse. Can you hear me  
9 okay?

04:18PM

10 ALAN EHRLICH: You sound great.

11 JESSE TIGNER: Okay, perfect.

04:18PM

12 So I have two questions. The second one has been asked a  
13 bunch, so I think we can probably keep it pretty short. The first question  
14 is about translating lessons learned. So in this developer's assessment  
15 report, there's a lot of discussion in a lot of different places about the  
16 potential effects and impacts on behaviours of caribou and moose and  
17 other critters and the potential magnitude and direction of those  
18 potential impacts and the ways that those changes may scale up to  
19 population level impacts like reduction in population numbers. That's  
20 where it is available based on data and where it isn't available based on  
21 interpretations and predictions and expert opinions. And that happens a  
22 lot, obviously, in a lot of different development projects in the NWT.

04:19PM

23 So here's the question and the request for a commitment: If we  
24 look at -- if we look at the TASR, if we look at the Tłı̄chq upgrade, and  
25 as a similar and recent project, were all of the GNWT's predictions on  
26 how caribou and moose and different critters would be affected -- were  
27 those predictions different from what has been observed thus far?

04:19PM

1                   And if they have been, how is that experience being reflected in  
2                   this developer's assessment report and how can we translate any of  
3                   those lessons learned here?

4           ALAN EHRLICH:           Over to the GNWT. Please go ahead.

04:20PM

5           JAMES HODSON:           Yeah, I can try to answer. So I guess with  
6                   respect to the Tłıchq Highway and the monitoring programs for wildlife  
7                   for that project, it's still somewhat early to say if all the predictions have  
8                   borne out or not because we're only into a couple years of the road  
9                   being opened to public use. But from what we've seen for boreal  
10                  caribou, at least with that project, they crossed that alignment frequently  
11                  before the road was built. They are continuing to cross it frequently  
12                  throughout the year. The population trend of boreal caribou in that  
13                  project area has been increasing every year since we started monitoring  
14                  before construction until now.

04:21PM

15                                So in that respect, the prediction of no significant impacts, from  
16                                the developer anyways, in that EA is, I guess, borne out so far. But,  
17                                again, we're in the first couple years of operations, so it'll take a longer  
18                                time to see what happens there.

04:21PM

19                                With moose, I don't think we have an answer yet. We did a  
20                                survey before construction, one during construction. And then there will  
21                                be another one during operation of the road. So I don't think we really  
22                                have an answer for moose yet. But we haven't heard -- like at the  
23                                corridor working group meetings for that project, we haven't heard from  
24                                participants that they've seen a decline in moose or really large increase  
25                                in harvest pressure on moose along that road.

04:22PM

04:22PM

26                                So I think the developer's predictions for that project so far are  
27                                consistent with what we're seeing.

1 ALAN EHRLICH: Thanks, James. Is there any potential that the  
2 fire season the NWT had last year and the changing availability of  
3 boreal caribou habitat had an influence on caribou observations in the  
4 area of the road?

04:23PM

5 JAMES HODSON: Yeah, James Hodson with the ECC.  
6 So specifically for the Tłıchq Highway, there wasn't actually really  
7 very much fire at all during 2023 and a little bit in 2024. I don't think  
8 we'll see the impacts from those big fire years for a few years. Like,  
9 what we see is that boreal caribou return to these fires almost  
10 immediately. The following year, they tend to use them and actually  
11 prefer recent fires during the snow-free season for up to ten years, and  
12 then you start to see avoidance of those fires. So we're -- we might not  
13 see the impacts from those fire seasons for a little while.

04:23PM

14 ALAN EHRLICH: Thanks. Actually, I was wondering if there  
15 might be higher density in the areas that hadn't burned due to an  
16 abandonment of the areas that had just been immediately burned.  
17 That's what I was getting at.

04:23PM

18 JAMES HODSON: Yeah. My impression is no. But we haven't  
19 specifically tested that.

04:24PM

20 ALAN EHRLICH: Your impression is more knowledgeable than  
21 mine, Dr. Hodgson. Thank you.

22 And, Jesse, you have another question?

23 JESSE TIGNER: I do, thank you. Thanks for that, James.

04:24PM

24 So the second question, I had sort of a similarly long preamble,  
25 but I'm going to skip it because it's already been asked a bunch. But it's  
26 about the wildlife management and monitoring plan. And I guess from  
27 a Délı̨nę Renewable Resources Council perspective, it feels a little bit

04:24PM

1 more like a plan for a plan. We see all over the DAR and we saw all  
2 over our responses to the information requests -- I'm just going to read  
3 this out: The GNWT will engage Indigenous governments, Indigenous  
4 organizations, and other affected parties in the ongoing development of  
5 the wildlife management and monitoring plan. This will include  
6 appropriate input from D lįn  representatives.

04:25PM

7 That sentiment has been sort of mirrored here a number of  
8 times. From our perspective, it is going to be a mountain of work to  
9 develop a plan that works for and represents all interested and affected  
10 parties and communities. And committing to a commitment, it just  
11 doesn't work.

04:25PM

12 So our question is, like, what is and where is the real actual  
13 funded commitment to develop this plan? And how do we -- how do we  
14 move forward starting now so that we're sure the plan and all of the  
15 monitoring activities and all of the mitigation activities can address the  
16 diverse values that are represented across this -- across this highway  
17 and upgrade route and beyond and how can we get going on that now  
18 instead of it being something that is a last-minute agreement and it  
19 amounts to a handful of monitors from a bunch of communities helping  
20 do something that's not that clear?

04:26PM

21 ALAN EHRLICH: Thanks, Jesse. GNWT.

22 SETH BOHNET: Thanks. Seth Bohnet, GNWT.

04:26PM

23 So to be clear, again, there is a draft of the WMMP in the DAR  
24 for consideration, and engagement with interested parties is already  
25 underway to further flesh that management plan out, again, with the  
26 intent of having it fully finalized prior to construction.

27 ALAN EHRLICH: Jesse, any follow-up?

04:27PM

1 JAMES HODSON: I mean, I don't think that that really answered  
2 my question. Like, we understand that there a handful of mitigations  
3 and there's a draft plan as part of the DAR, but it isn't something that  
4 has been engaged with in a way at least from the DRRC's perspective  
5 that it's meeting the desires of the DRRC. We can't speak for other  
6 groups, but certainly we've heard a lot of similar sentiment here from  
7 other groups that it's unclear; it doesn't necessarily meet the values of  
8 interest; data that are collected are not necessarily clear in why they're  
9 being collected, how that information is going to be used to make these  
10 really complex high-level decisions on appropriate wildlife management  
11 in the area. So I don't know if we're really going to get an answer.  
12 That's sort of the line that the GNWT has been saying.

04:27PM

13 And I mean no disrespect. But I just -- maybe, if nothing else,  
14 getting it on the record from another group that the current plan for the  
15 plan is maybe a bit lacking, and we would appreciate it to be sort of  
16 different than it is.

04:27PM

17 ALAN EHRLICH: I don't think there's a question in there for the  
18 GNWT. They're nodding at your point. It's on the transcript. I thank  
19 you for the clarification, Jesse.

04:28PM

20 JESSE HODGSON: Thanks.

21 ALAN EHRLICH: Jess, do you have any more questions?

22 JESS HODGSON: No, I'm good. Thank you very much.

23 ALAN EHRLICH: Okay, thanks.

04:28PM

24 I'm very conscious that our agenda went until 4, and you guys  
25 have all been very good sports about possibly staying until 5. We've got  
26 two more questions, one from Pehdzeh Ki First Nation, and one from  
27 the Norman Wells Renewable Resource Council. And then if there's no

1 other questions after that, I'll try to shut it down because I'm quite  
2 committed to not go past 5:00 because I'm very appreciative of the  
3 extra time everyone's been prepared to devote to this.

04:29PM

4 Oh, there's one question? Because Lisa MacDonald is prepared  
5 to hold the question for a different day. So over to Pehdzeh Ki  
6 First Nation. Is it Sharon or Jane?

7 Jane, please go ahead.

8 JANE HENDERSON: Jane Henderson, PKFN. Three very short  
9 follow-ups and then a question.

04:29PM

10 First, to knowledge Mr. Nishi, your question, you're asking  
11 specifically for information and recommendations from Indigenous  
12 governments and organizations -- governments and organizations, and  
13 PKFN will consider that and respond.

04:29PM

14 I'd also like to ask for a clarification for one of John's questions to  
15 the GNWT. I don't think I understood or caught the answer. Your  
16 question was are there any specific co-management frameworks that  
17 are being used; are there any differences between ones you're  
18 considering for settled versus unsettled areas; what do you have in  
19 mind in terms of co-management frameworks. I didn't catch an answer  
20 to that question. Could you please repeat.

04:29PM

21 SETH BOHNET: So the response that I provided and, again, I'll  
22 clarify is that we do work with Indigenous governments and community  
23 organizations to manage and monitor, and our plan with the WMMP is  
24 to engage directly with you guys on the development of management  
25 and monitoring programs.

04:30PM

26 ALAN EHRLICH: PKFN.

27 JANE HENDERSON: Okay. So you don't have a framework in mind

1 that you're working towards?

2 It's unclear to PKFN what will be brought to the table, what you're  
3 proposing in this way.

04:31PM

4 So if now is not the time to answer that, that's fine. I know we're  
5 running short. But to me, that answer is still -- it leaves me with a lot of  
6 questions.

04:31PM

7 The second -- so acknowledging -- acknowledging your question,  
8 Alan; you asked if PKFN could speak to the protected areas in more  
9 detail that are relevant. And PKFN will do that, but not at this time in  
10 these sessions.

11 ALAN EHRLICH: To clarify, I wasn't asking PKFN to speak to it. I  
12 was just wondering if you had a map or something that could tell -- give  
13 us a sense of the spaces we're talking about.

04:31PM

14 Oh, the TK report? Yeah, yeah. That's great. Sorry, I'm losing  
15 track because it's late. Thank you.

16 JANE HENDERSON: Yes. And we can also --

17 ALAN EHRLICH: Yes, you're right. You're --

18 JANE HENDERSON: -- provide information about the protected  
19 areas --

04:31PM

20 ALAN EHRLICH: Yeah.

21 JANE HENDERSON: -- that you were asking for a visual of.

22 ALAN EHRLICH: But what you said about the TK report and the  
23 discussion to have on this side is correct. Thanks.

04:31PM

24 JANE HENDERSON: And the third follow-up: PKFN echos Jesse's  
25 comments about a plan to -- you know, also we find that the DAR is full  
26 of plans to make a plan, and they don't inspire confidence and -- yeah,  
27 we'll just -- we'll just leave it at that for now.

04:32PM

1                   And thirdly -- perhaps fourthly at this point -- the question, so  
2                   speaking to the impacts that the proposed route will have on caribou  
3                   disturbance. So PKFN is very concerned that the proposed route will  
4                   increase human disturbance of caribou; the route is already in areas  
5                   that are used by caribou; all the bridges are already in critical habitat,  
6                   and to PKFN, it's entirely foreseeable that use of the bridges for angling  
7                   recreational fishing, more visitors coming in, human use of those areas  
8                   will only increase if the non -- if an all-season road goes on to the  
9                   proposed route. And so PKFN is very concerned that that increased  
10                  human activity will increase human disturbance of caribou and asks  
11                  how this has been considered in the assessment.

04:33PM

12               ERICA BONHOMME:       Mike Settingington is online. He could speak to  
13               how that's been assessed for caribou

14               ALAN EHRLICH:            Mike, you want to go ahead?

04:33PM

15               MIKE SETTERINGTON:    Roger. It's Mike Settingington with  
16               Environmental Dynamics in Whitehorse. How we assessed increased  
17               human disturbance on caribou, we used an approach that Environment  
18               and Climate Change Canada has used in the scientific assessment on  
19               caribou disturbance of critical habitat, and we looked at the human  
20               footprint of any linear features, and we applied a 500-metre zone of  
21               influence, and they found that that accommodated disturbance and  
22               effects on caribou populations within the footprint in a 500-metre  
23               disturbance area. And that's from studies across multiple boreal  
24               caribou populations in boreal caribou habitat. And that's how we  
25               accounted for increased human disturbance on boreal caribou.

04:33PM

26               ALAN EHRLICH:            Thanks. Jane?

04:34PM

27               JANE HENDERSON:        Thank you, Mike. Not necessarily off the top of

1 your head, but at some point, could you direct PKFN to where they  
2 could see that and take it apart in more detail on our own time?

3 ALAN EHRLICH: I think that was to you, Mike.

04:34PM

4 MIKE SETTERINGTON: Yeah, I will get a specific section reference of  
5 where we included that method. And I just don't have it on me.

6 JANE HENDERSON: Of course. Thank you.

7 ALAN EHRLICH: Sure, Mike. Thanks. I've got a question --  
8 okay. Well, actually, first, Environment and Climate Change Canada.

04:35PM

9 BRIDGET CAMPBELL: Hi. This is Bridget Campbell speaking for  
10 Environment and Climate Change Canada. We would like to take this  
11 opportunity to address the 500-metre buffer that was applied to the  
12 project development area to calculate the types of boreal caribou  
13 habitat and that the 500-metre buffer has been used incorrectly in this  
14 case. So the 500-metre buffer discussed in the federal recovery  
15 strategy is based on model results specific to a range level analysis of  
16 disturbance impacts on boreal caribou at the national scale, and it is  
17 therefore not appropriate for assessing project-specific impacts on  
18 boreal caribou.

04:35PM

19 Instead, indirect habitat loss calculations can be made within an  
20 around the project development area, which is justified by literature  
21 identifying zones of influence for effects from the project.

04:36PM

22 The developer's assessment report, section 10.4.2.3.1.3, on  
23 page 10-51 provides relevant literature review which could inform a  
24 more appropriate buffer of the project development area.

04:36PM

25 ALAN EHRLICH: Is there a question attached to that?

26 BRIDGET CAMPBELL: Bridget Campbell, Canadian Wildlife Service.

27 Would the Government of the Northwest Territories commit to a

1 reassessment of the indirect habitat using a more appropriate buffer  
2 size?

3 ALAN EHRLICH: Clear request for a commitment. GNWT is  
4 caucusing, and Dr. Hodgson has a response as well.

04:37PM

5 JAMES HODSON: I just wanted to mention that in one of the IRR  
6 responses, we did look at indirect habitat loss using a range of buffer  
7 sizes, and so that might help to answer the question of whether some  
8 other number was used than 500 metres, what the implication would  
9 have been.

04:37PM

10 And I see in the chat it's MVEIRB 47 was the information request  
11 response to address that.

12 BRIDGET CAMPBELL: Bridget Campbell from ECCC. We'll take a  
13 moment to look at the MVEIRB response 47. In the meantime, I could  
14 provide the responses from earlier that we were unable to provide at  
15 that time.

04:38PM

16 ALAN EHRLICH: Okay, we'll accept that. Please go ahead.

17 BRIDGET CAMPBELL: Okay, thank you. Bridget Campbell again,  
18 Environment and Climate Change Canada. The questions that were  
19 posed to us, question number 1 and 2 in relation to the timelines  
20 proposed for the construction of 10 years over 20 years versus the  
21 accelerated option and which scenario does Environment and Climate  
22 Change Canada think poses less risk for boreal caribou, Environment  
23 and Climate Change Canada did not review the construction schedule  
24 with respect to exposure to physical and sensory stressors to caribou  
25 because Environment and Climate Change Canada does not have  
26 expertise in this area.

04:38PM

04:38PM

27 As Environment and Climate Change Canada note in a letter

04:39PM

1 provided to the Review Board on October 16th, Environment and  
2 Climate Change Canada can provide advice related to the National  
3 Recovery Strategy for Caribou, critical habitat, and other aspects  
4 relating to the Species at Risk Act. It is the Government of the  
5 Northwest Territories who is the day-to-day manager of caribou, and  
6 they have the experts on the biology and reactions of local caribou.

04:39PM

7 Regarding the third question, what our experts reasonably  
8 anticipate will occur in the NT1 range if movement in the southern  
9 regions are affected, Environment and Climate Change Canada has  
10 provided an information request, ECCC04, that requested that the  
11 Government of the Northwest Territories provide more information on  
12 caribou movement.

04:40PM

13 Given the limited data, it is difficult to make predictions about  
14 whether and how the all-season road will act as a barrier to movement  
15 and how those impacts will spread along the route. We had noted that  
16 the information that was currently provided is limited for the following  
17 reasons:

04:40PM

18 The assessment was based solely on collar data which  
19 represents a small portion of the population. There was much individual  
20 variation in movement shown throughout the individual based models.  
21 The information is only relevant to the collared animals and cannot  
22 discount different movements, behaviours that may occur in the  
23 un-collared population. Only females were collared, so there is no  
24 inference on males or calves, and males are known to have different  
25 movement patterns than females. There is a lack of consideration for  
26 the summer and fall season. And caribou on the east side of the road  
27 alignment were targeted for collaring which may bias the sample. So

04:41PM

1 that does not inform whether the road may act as a barrier for caribou  
2 moving west to east.

3 So, yeah, for these reasons, it's difficult to make a prediction,  
4 and we're looking for more information from the Government of the  
5 Northwest Territories.

04:41PM

6 ALAN EHRLICH: Thank you. And as we observed in the opening  
7 comments, we agreed that the Government of the Northwest Territories  
8 has an expertise on caribou in the specific habitat, but also that every  
9 one of the government's experts, because of the whole-of-government  
10 approach, is working for the developer. So -- which changes the  
11 context a little bit.

04:42PM

12 A comment from -- or a question from Todd Slack.

13 TODD SLACK: Thanks, Alan. Todd Slack with Délı̄nę Got'ı̄nę  
14 Government. A couple rapid fires here. I just want to clarify what the  
15 commitment on the WMMP is. I think I heard Mr. Bohnet say that they  
16 would be providing an updated WMMP prior to construction.

04:42PM

17 Is that right? Or could he restate what the commitment is,  
18 please.

19 ALAN EHRLICH: First, I'll ask if the GNWT can confirm that.

20 SETH BOHNET: Seth Bohnet, GNWT. So the WMMP will  
21 require a formal review, and it will need to be approved prior to  
22 construction.

04:42PM

23 TODD SLACK: Thanks. Todd Slack here with DGG. Following  
24 on DRRC's question, I think this one's directed at Mr. Hodson. I'm  
25 looking at the policy guidance you have for developing WMMPs, and  
26 I'm looking at the EA outline in particular.

04:43PM

27 So your guidance to proponents is that the developer is

1 submitting updated draft WMMPs prior to the deadline for technical  
2 reports. Parties to the EA, EIS, will submit comments on the draft  
3 WMMP in their technical reports.

04:43PM

4 Are you expect -- do you believe that the proponent in this case  
5 should be submitting an updated WMMP prior to the technical reports?

6 JAMES HODSON: They submitted a WMMP with the DAR, and  
7 following the technical reports, that WMMP could be updated again until  
8 we see those technical comments. There was an updated WMMP  
9 provided prior to the technical session, but I don't know really know that  
10 there was time to update it realistically.

04:44PM

11 TODD SLACK: Thanks. And I know it's late. It's Todd Slack  
12 with DGG here again. I'm going to ask that question again, Mr. Hodson.  
13 Is it ECC's expectation that a WMMP -- oh, sorry. I don't want to -- I  
14 see you're talking to the proponent's consultant there. Is it your -- is it  
15 ECC's expectation that the proponent submit an updated WMMP with  
16 the technical reports as outlined in your guidance, you know, specifically  
17 in diagram 2 of the WMMP development process and content guide?

04:44PM

18 ALAN EHRLICH: Todd, just a here. When you say "technical  
19 reports", you're referring to the documents that we sort of now call  
20 "interventions" more; right? Same thing?

04:45PM

21 TODD SLACK: Todd Slack with DGG. That's my assumption,  
22 Alan. I'm using the language in the -- in ECC's WMMP process and  
23 content guide. So that's a question you might want to direct to Mr.  
24 Hodson.

04:45PM

25 ALAN EHRLICH: Okay. So the question that I have for the  
26 GNWT is will the GNWT submit an updated WMMP prior to parties'  
27 interventions?

04:46PM

1       SETH BOHNET:                Thanks. Seth Bohnet, GNWT. So as of right  
2           now, we have provided the draft WMMP. We are collecting comments.  
3           We are engaging on it right now. If there is a need to provide an update  
4           to it, we can. But as of right now, I don't -- I don't believe there's any  
5           current plan.

04:46PM

6       ALAN EHRLICH:             Thanks, Mr. Bohnet. If I might, to redirect the  
7           question to Mr. Hodson.

8           Mr. Hodson, is there a need -- just by looking at your guidelines,  
9           it suggests that there -- best practice or whatever evidence this was  
10          based on in terms of its development, is there a need for GNWT to  
11          submit such an updated document?

04:47PM

12       JAMES HODSON:            To me, it would make more sense to -- well, I  
13          don't know. What's the timeline between now and technical  
14          interventions?

04:47PM

15       ALAN EHRLICH:            So the round 2 interventions will happen after --  
16          sorry. The interventions will happen after our second round of  
17          information requests, which would follow the technical sessions. As well  
18          as it would depend on how long the GNWT takes to do the developer's  
19          assessment report addendum. So if it comes out at the same time as  
20          the developer's assessment report addendum, it's still early enough for  
21          parties to consider when they're producing their intervention.

04:47PM

22       JAMES HODSON:            Okay. Yeah, then in that case, I do think it  
23          makes sense to provide an updated WMMP that incorporates the  
24          responses to information requests and what's in the technical  
25          interventions.

26       ALAN EHRLICH:            So in that case, I'd like to record that as a  
27          commitment to produce --

1 JAMES HODSON: Can I clarify that --

2 ALAN EHRLICH: No. As soon as --

3 JAMES HODSON: Todd was asking me that question as a  
4 regulator and a author of the guidelines, but -- and I'm providing my  
04:48PM 5 opinion in that role, but it's not my place to --

6 ALAN EHRLICH: Fair enough.

7 JAMES HODSON: I think that the other -- the rest of the team  
8 needs to decide on what the commitment is, not --

9 TODD SLACK: Sorry. You're --

04:48PM 10 ALAN EHRLICH: Okay --

11 TODD SLACK: No. I was -- it's Todd Slack with DGG.  
12 You're the regulator. It is your place to say what these guidelines  
13 mean for proponents. That's where this gets problematic.

14 And I'll just point out that if the proponent just says, yeah, we'll  
04:48PM 15 get started, we'll do it, you know what? This goes away. Solve the  
16 problem instead of saying "no" to everything.

17 ALAN EHRLICH: So GNWT, Seth, are you prepared to get  
18 started and do it, to have the updated WMMP available to parties prior  
19 to their interventions?

04:49PM 20 SETH BOHNET: So I would say yes, we are currently engaging  
21 on the WMMP, and as part of the addendum, any amendments or  
22 updates to the draft WMMP will be provided at that time.

23 ALAN EHRLICH: May I take that as a commitment?

24 TODD SLACK: Thanks. And Todd Slack with DGG --

04:49PM 25 ALAN EHRLICH: No, hold on. Todd, I wasn't asking you if I could  
26 take it as a commitment. I was asking the GNWT if I could take it as a  
27 commitment.

1 TODD SLACK: Oh, sorry. I thought it was taken. Pardon me.

2 SETH BOHNET: Yes.

3 ALAN EHRLICH: Thank you.

4 Todd?

04:49PM

5 TODD SLACK: I support all of GNWT's commitments.

6 And as my final question to Mr. Hodson: Listen, man, we've

7 been through a lot of these over the years. Do you think that in any

8 other circumstance that if we were at the technical sessions for

9 Gahcho Kué, for any other large industrial development, that we would

04:49PM

10 be sitting here with a very preliminary WMMP and that ECC wouldn't be

11 making the kind of comments that all the parties here rely on their

12 expertise for?

13 JAMES HODSON: I have been through a number of EAs, and I

14 have seen equally-drafty WMMPs provided at the -- EAs before. So I

04:50PM

15 consider the process to date normal. The WMMP was actually provided

16 earlier in this process than it was during the Tłıchq Highway to allow

17 more time for input on it. So I feel like this is just the normal process.

18 ALAN EHRLICH: Okay. Todd, if you have any questions on other

19 matters, I'll take them now. If not, then I'm going to take the facilitator's

04:50PM

20 prerogative of the last question. Maybe it's a double question. But

21 we've heard concerns raised earlier today about potential wildlife/vehicle

22 collisions. Much of what I've read in the developer's material relies on

23 different speed limits in different spots and possible signage. I'm pretty

24 sure about the signage.

04:51PM

25 What I'm wondering is has the developer considered the

26 effectiveness of different ways of mitigating human -- sorry --

27 vehicle/wildlife collisions, specifically considering what we heard in

1 Tulita about the difficulty of responding to emergencies due to limited,  
2 things like ambulance access and hospital access, and the concern for  
3 wildlife that we heard today about potential wildlife/vehicle collisions  
4 during operation of the project -- dealing with operation than  
04:51PM 5 construction here. So there are a number of different ways that  
6 different jurisdictions have tried to reduce these collisions, but collisions  
7 a more remote setting become more -- harder to respond to, and  
8 therefore the consequences sometimes can be greater but also from a  
9 wildlife perspective. That's why I'm raising it now.

04:52PM 10 So has the GNWT looked at how effectively different approaches  
11 to mitigating that impact actually are?

12 MIKE SETTERINGTON: Mike Settingerton with Environmental  
13 Dynamics. The mitigation proposed for reducing wildlife/vehicle  
14 collisions that does come from research and particularly work that we've  
04:53PM 15 done in the Yukon looking at a wildlife/vehicle collision database on our  
16 paved highways with high speeds, and we find that speed reduction  
17 seems to be the most effective. Again, there's no scientific study  
18 behind that. And signage as early warning seems to be effective as  
19 well too in high-collision areas. It seems to be straightforward, practical  
04:53PM 20 suggestions. However, proving effectiveness would require an  
21 experimental design, but hasn't been approached anywhere.

22 So signage and speed limits were what were suggested for an  
23 operational road for the construction. One of the mitigations that we  
24 suggested was reducing the speed limits down to 50 kilometres an hour  
04:53PM 25 during construction on sections of the road.

26 I don't know if that answers your question, Al. It was -- there  
27 were a few items in there that I might not have caught.

1 ALAN EHRLICH: Yeah, I'm wondering whether or not you've  
2 looked at the effectiveness of different methods, not just in the Yukon,  
3 but possibly from further afield. My understanding is that reducing the  
4 speed limit -- slower speeds are effective if reducing the speed limit  
04:54PM 5 effectively reduces people's speeds and that there are challenges in  
6 different settings with respect to wildlife/vehicle collisions. So I was  
7 wondering whether or not you have looked at any systematic research  
8 on the effectiveness of different approaches beside the Yukon. But I  
9 think what I've heard is you looked at the Yukon, and speed and  
04:54PM 10 signage is right now your preferred method.  
11 Did I sum that up okay?  
12 MIKE SETTERINGTON: That would be correct for what we presented,  
13 yes.  
14 ALAN EHRLICH: Okay, I understand your position.  
04:54PM 15 And now before we wrap it up, I'm going to ask Catherine to  
16 summarize a short list of undertakings and commitments for the day.  
17 Go ahead, Catherine.  
18 CATHERINE FAIRBAIRN : All right. Thank you. If the people who the  
19 undertakings and commitments relate to can stay just for a couple  
04:55PM 20 minutes so we can confirm the wording. I'm just going to summarize.  
21 We're not going to get into detail, I think going over all the wording right  
22 now.  
23 We documented -- Malorey's been faithfully listening to our  
24 conversation and documenting undertakings and commitments.  
04:55PM 25 The first undertaking we documented was for the -- in response  
26 to request from Pehdzeh Ki First Nation for the GNWT to confirm if the  
27 water crossings and bridges that were built along the Mackenzie Valley

1 winter highway -- if they were built with all-season road in mind.

2 That was from this morning.

3 SETH BOHNET: We already responded to that.

4 CATHERINE FAIRBAIRN: Okay. Did you guys get the response? I know

04:56PM

5 we talked about it further, but...

6 Part of the request, we think, was also about the economic  
7 business case report that was to be submitted if it's available.

8 Maybe we'll take a few minutes after and go over that.

9 Okay. The second was -- the others were more recent, so

04:56PM

10 they're closer in my memory. The second one is for Pehdzeh Ki First

11 Nation to submit their additional questions to the GNWT and to the

12 Review Board staff regarding routing and the project description, and

13 then -- that's tonight or overnight, and then tomorrow, the GNWT will

14 provide more information about when they might be able to respond,

04:57PM

15 and that might lead to a new undertaking for the GNWT. But for now,

16 it's just the undertaking to Pehdzeh Ki on that topic.

17 The third one is -- oh, this might have been where the economic

18 one was, Mark, from Todd. There was a question about will the road

19 contractor be instructed to also consider not reasonably foreseeable

04:57PM

20 developments, and, yes, so that was something you guys were going to

21 come back and respond to.

22 And then, finally, there was a requested reference from Pehdzeh

23 Ki First Nation that GNWT was going to provide and will -- so that was

24 an undertaking that you guys were going to provide more information

04:57PM

25 and a specific reference. I think that might have been to Mike. So we'll

26 get that down.

27 And then the one commitment that we have recorded was about

1 updating the WMMP with the DAR addendum prior to the hearing  
2 interventions.

3 Sound right to everybody other than the bit of confusion around  
4 the first one? We'll just figure that out?

04:58PM

5 MIKE SETTERINGTON: Yeah, and the answer to P -- it's Mike  
6 Setterington. The answer to PKFN is in the chat. So we addressed  
7 human disturbance on caribou and DAR, chapter 10. It's actually  
8 10.4.1.1, Change in Habitat, page 1041 to 1042.

04:58PM

9 ALAN EHRLICH: Okay, I see they're writing down. Okay, so now  
10 we're down to three of them.

11 Okay. I want to give my sincere thanks to all of you. You've  
12 been here for a long and very action-packed and demanding but I think  
13 a productive discussion. I appreciate that, you know, the tone stayed  
14 respectful. I know these are subjects that matter very much to people  
15 who could be affected for a very long time by this and who spent a long  
16 time designing a project and who are looking at the prospects of -- to  
17 live with projects in different ways.

04:58PM

18 I thank you all for -- those of you -- particularly those of who had  
19 to come a really long way to be here. I know several of you flew in to  
20 get here, and we appreciate the extra depth of knowledge and  
21 perspective that you bring to our discussions and to the thoughtful  
22 questions and to the thoughtful responses.

04:59PM

23 So with that, we'll see you all tomorrow morning at 8:30.

24 Anything else I'm missing?

04:59PM

25 That's it. Thank you, all, very much.

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SESSION CONCLUDED

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Certified correct to the best of our skill and  
ability,

A handwritten signature in black ink, appearing to read "Lois Hewitt". The signature is fluid and cursive, with a long horizontal stroke at the end.

---

Lois Hewitt, CSR(A)  
Jenna Mearns, CSR(A)  
Court Reporter