

### Review Comment Table

<b>Board:</b>	GLWB
<b>Review Item:</b>	GNWT Department of Infrastructure - Quarrying km 147 Dempster Highway #8 (G19Q005)
<b>File(s):</b>	<a href="#">G19Q005</a>
<b>Proponent:</b>	GNWT - INF
<b>Document(s):</b>	<a href="#">LUP Application Package</a> (2624 kb) <a href="#">Draft Land Use Permit</a> (324 KB)
<b>Item For Review Distributed On:</b>	
<b>Reviewer Comments Due By:</b>	Apr 16, 2019
<b>Proponent Responses Due By:</b>	Apr 17, 2019
<b>Item Description:</b>	<p>The GNWT Department of Infrastructure has withdrawn application G18Q004 for Quarrying at km 147, Dempster Highway #8 and has re-submitted a new application for a Type A Land Use Permit, with an updated scope of work at the same location.. The applicant now requests a term of 2 years, with activities beginning in April 2019. The Gwich'in Land and Water Board is considering this application and appreciates any comments or recommendations from reviewers.</p> <p>Reviewers are invited to submit questions, comments, and recommendations using the Online Review System (ORS) by the review comment deadline specified below. Please provide comments and recommendations on the:</p> <ul style="list-style-type: none"> <li>- Application;</li> <li>- Draft Land Use Permit (please clearly indicate which condition you are commenting on).</li> </ul> <p>Please note that the draft Permit has been developed using the MVLWB's current Standard Land Use Permit Conditions Template. The purpose of this draft Permit is to allow parties to comment on Board staff's suggested conditions. These draft materials are not intended to limit in any way the scope of parties' comments. The Board is not bound by the contents of the draft Permit and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties</p>

<b>General Reviewer Information:</b>	The Board encourages reviewers to submit questions and/or recommendations through the Online Review System, no later than Tuesday April 16, 2019. Note that all documents that have been uploaded to this review are also available on our public registry. If you have questions or require assistance with the ORS, please contact Board staff identified below.
<b>Contact Information:</b>	AlecSandra Macdonald 867-777-4954

### Comment Summary

GNWT - ENR: Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Staff Response
2	General File	<b>Comment</b> ( <a href="#">doc</a> ) ENR Letter with Comments and Recommendations <b>Recommendation</b>		
1	Topic 1: Wildlife: NWT Listed and Pre-listed Species at Risk	<p><b>Comment</b> Sections 76 and 77 of the Species at Risk (NWT) Act require the Minister of Environment and Natural Resources to make a submission to the body responsible for assessing the potential impacts of a proposed development, or for considering a Land Use Permit or Water Licence application, respecting the potential impacts of the proposed development, Permit or Licence application on a NWT-listed or pre-listed species or its habitat. NWT-listed species are those that are on the NWT List of Species at Risk. Pre-listed species are those that have been assessed by the NWT Species at Risk Committee (SARC) but have not yet been added to the NWT List of Species at Risk. The Proponent should be aware that NWT-listed or pre-listed species at risk and their habitat may also be subject to protection under existing sections of the NWT Wildlife Act. As a best practice, ENR encourages the Proponent to consider potential impacts, mitigation measures and monitoring requirements for species at risk listed under the federal Species at Risk Act, as well as those designated as at risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) that may occur in the project area, and the prohibitions that may apply to these species under federal legislation. The project area overlaps with the ranges of the following NWT-listed and/or pre-listed species: . Boreal Caribou - Threatened . Grizzly Bear - Special Concern . Barren-ground Caribou - Threatened . Polar Bear - Special Concern</p> <p><b>Recommendation</b> 1) Although the project overlaps with the range(s) of the species listed above, ENR is of the opinion that the nature, areal extent, scale and/or timing of the proposed project are such that the likelihood of impacts to NWT-listed or pre-listed species at risk is minimal.</p>		

**GNWT - Lands - Beaufort Delta Region: Donald Arey**

ID	Topic	Reviewer Comment/Recommendation	Prop onen t Resp onse	Boar d Staff Resp onse
2	Gener al File	<b>Comment</b> <a href="#">(doc)</a> GNWT Lands Letter <b>Recommendation</b>		
1	GNWT Lands Comm ents	<b>Comment</b> The application was reviewed and with reference to the QOP Spill Contingency Plan. Lands comments are in bold. Reviewers are aware this is on GTC private Lands and hope the comments will be of assistance in making their decision. 3 Sediment and Erosion Control Plan &dash;Mitigation Monitoring All sediment and erosion control measures will be monitored daily during construction by the contractor and INF personnel. This is to ensure the mitigation techniques employed are functioning and maintained properly. Mitigation measures that may not be working will be repaired or revised immediately. The contractor and INF personnel will visually inspect the quarry on a daily basis for potential sources of sedimentation or erosion which may affect a nearby waterbody or watercourse. If sedimentation or erosion is occurring and sediment is entering a watercourse or waterbody, hourly turbidity by INF personnel will be conducted until the problem is rectified. <b>Recommendation</b> Inspector has no concerns with the plan and would like to inform that with the terms and conditions of the LUP weekly inspection to the sites will be planned to ensure mitigation will be followed and terms and conditions of the permit are adhered to.		

**GTC Department of Cultural Heritage : Sharon Snowshoe**

ID	Topic	Reviewer Comment/Recommendation	Prop onen t Resp onse	Boar d Staff Resp onse
5	Gener al File	<b>Comment</b> <a href="#">(doc)</a> GTC Department of Cultural Heritage Letter <b>Recommendation</b>		
1	Places	<b>Comment</b> There are numerous Gwich'in place names around this quarry. At the mouth of the creek nearby where it meets Nagwichoonjik (Mackenzie River), there is an eddy called K'inehdlaii- This eddy is used for fishing. The whole general area has been a fishing area for generations. To the south is a lake named Chii Echejj Van which is a fish lake, and used for drinking water. To the northwest is an area along the Mackenzie River named Chiidjee Naa'ejj (Moonshine		

		<p>Bay) also used for setting fish nets. A creek that flows out to the Mackenzie River at the pull out entrance should also be noted</p> <p><b>Recommendation</b> In this era of climate change, any activities on all quarry operation that may cause future slumps or landslides must be considered and care taken. As it appears from the application, there will be no direct impacts to these places. However, the development should not indirectly impact these Gwich'in heritage sites through dust and noise pollution or other effects. It is recommended that trucks hauling gravel should slow down when passing other vehicles on the road for safety reasons.</p>		
2	Traditional Use	<p><b>Comment</b> This is also a lot of Gwich'in traditional use of the area. On top of the hill is a good yellowberry picking area. There are hundreds of trails along the Mackenzie River a half a km away. The area is good habitat for beavers, rabbits, caribou, and moose, all of which are harvested.</p> <p><b>Recommendation</b> The development activities should not impact these traditional uses. This may mean that any available parking used by Gwich'in harvesters and land-users should remain in place, and that noise and dust should be kept to a minimum at times when it will most affect traditional use, using best practices. The DCH recommends consultation with the community of Tsiigehtchic to ensure traditional use will not be impacted by the operations of the pit, as the use will be seasonal in nature.</p>		
4	Cease Work	<p><b>Comment</b> None</p> <p><b>Recommendation</b> As with any application, if archaeological or heritage materials are encountered during the development within the Gwich'in Settlement Area, all work must cease immediately as required by law, and the DCH and the Prince of Wales Northern Heritage Centre in Yellowknife must then be contacted.</p>		

Gwichya Gwich'in Council - DGO: Julie-Ann Andre

ID	Topic	Reviewer Comment/Recommendation	Prop onen t Resp onse	Boar d Staff Resp onse
2	General File	<p><b>Comment</b> <a href="#">(doc)</a> GGC DGO Letter</p> <p><b>Recommendation</b></p>		
1	GGC DGO comments	<p><b>Comment</b> The Gwichya Gwich'in (DGO) is in full support for The Department of Transport to contract out the use of pit located at kilometer Number 147 in order to widen and make the present road safe for everyone to travel. ;&lt;p "&gt; ;</p> <p><b>Recommendation</b> • by ensuring their contractor follows all the land and water safety policies and requirements, environmental protection and safety standards for the public and wild animals that use this highway.</p> <ul style="list-style-type: none"> <li>• All necessary precautions are taken and clean ups regarding fluid leaks and spills</li> </ul>		

		The Gwichya Gwich'in Council is pleased to see the pit being put to use for all concerned and that this collaboration continue in the future with success for everyone.		
<b>Gwichya Renewable Resource Council: Roxanne MacLeod</b>				
<b>ID</b>	<b>Topic</b>	<b>Reviewer Comment/Recommendation</b>	<b>Proponent Response</b>	<b>Board Staff Response</b>
2	General File	<b>Comment</b> <a href="#">(doc)</a> GRRRC Letter <b>Recommendation</b>		
1	GRRRC comments	<b>Comment</b> The Renewable Resources Council is in full support for The Department of Transport to contract out the use of pit located at kilometer Number 147 in order to widen and make the present road safe for everyone to travel. <b>Recommendation</b> <ul style="list-style-type: none"> <li>by ensuring their contractor follows all the land and water safety policies and requirements, environmental protection and safety standards for the public and wild animals that use this highway.</li> <li>All necessary precautions are taken and clean ups regarding fluid leaks and spills.</li> </ul> The Renewable Resources Council is pleased to see the pit being in use. Also, that consideration for our land, water and environment will be taken seriously. Thank you for working with the Renewable Resources Council and up dating us.		
<b>Gwich'in Renewable Resources Board: Janet Boxwell</b>				
<b>Topic</b>	<b>Reviewer Comment/Recommendation</b>			
General File	<b>Comment</b> <a href="#">(doc)</a> GRRB Comments <b>Recommendation</b>			
Relevant Legislation	<b>Comment</b> The staff of the GRRB have reviewed the applications for quarry activities at Km 147 and offer the following comments at this time on <b>Recommendation</b> Relevant Legislation &bull; Relevant legislation includes: o Migratory Birds Convention Act <a href="http://laws.justice.gc.ca/eng/acts/">http://laws.justice.gc.ca/eng/acts/</a> Act Plain language Summary <a href="http://www.enr.gov.nt.ca/sites/enr/files/resources/wildlife_act_plain_language_summary_january_2018.pdf">http://www.enr.gov.nt.ca/sites/enr/files/resources/wildlife_act_plain_language_summary_january_2018.pdf</a> o NW Act <a href="http://laws-lois.justice.gc.ca/eng/acts/S-15.3/index.html">http://laws-lois.justice.gc.ca/eng/acts/S-15.3/index.html</a> o Fisheries Act <a href="https://www.canlii.org/en/ca/laws/stat/rsc-1985-c-f-14/latest/rsc-1985-c-f-14.html">https://www.canlii.org/en/ca/laws/stat/rsc-1985-c-f-14/latest/rsc-1985-c-f-14.html</a>			
Spill response	<b>Comment</b> n/a <b>Recommendation</b> We encourage the proponent to update the Spill Response Plan to include local contact information for the appropriate Environment Canada NWT Spill Response hotline. These personnel are stationed in Inuvik, are equipped with cel phones and may be contacted after hours and on weekends. We recommend the Spill Response Plan be reviewed regularly and updated as needed with current contact information.			

Environment and Climate Change Canada: Richard Bingley

Topic	Reviewer Comment/Recommendation
General File	<b>Comment</b> <a href="#">(doc)</a> ECCC Cover letter <b>Recommendation</b>
General File	<b>Comment</b> <a href="#">(doc)</a> ECCC Document - Bank Swallows in Sandpits and Quarries <b>Recommendation</b>
Topic: Active Bird Disturbance Reference: Government of Northwest Territories, Department of Infrastructure, Km 147 Quarry, Dempster Highway 8, Wildlife Management Plan. Table 2-3 Bird Mitigation Measures. April 2019.	<p><b>Comment</b> The Proponent states in Table 2-3, "Birds will be deterred from nesting on infrastructure by placing covers/screens on vents, holes, and discourage them from establishing a nest on a construction site. If bird nesting occurs, the nest will not be disturbed until after the birds have laid birds or their nests is not compliant with the Migratory Birds Convention Act, Migratory Birds Regulations, or the federal Species At Risk Act. All disturbing migratory birds or destroying, disturbing or taking their nests or eggs. The Proponent should take into account ECCC's Avoidance Guide.</p> <p><b>Recommendation</b> ECCC recommends that the proponent revise the language used or clarify under what situations and for which species active</p>
Topic: Migratory Bird Nesting Season Reference: Government of Northwest Territories, Department of	<p><b>Comment</b> The Proponent states that the bird breeding season, is "generally May 1 July 31, but with some exceptions" (Page 9). The Project is lo nesting period is provided as guidance and may vary from year to year with some species nesting outside of these dates. Any Project work that</p> <p><b>Recommendation</b> ECCC recommends that the Proponent update the breeding season dates listed on page 9 of the Wildlife Management Plan.</p>

Infrastructure, Km 147 Quarry, Dempster Highway 8, Wildlife Management Plan. Table 2-3 Bird Mitigation Measures. April 2019.	
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