

## REVIEW COMMENT TABLE

[Click here to print this page](#)

[Click here to download a PDF Writer](#)

### S20E-005 - S20L8-002 - PCAR Construction Project - GNWT-INF (SLWB)

<b>File(s):</b>	<a href="#">S20E-005</a> <a href="#">S20L8-002</a>
<b>Proponent:</b>	GNWT - INF (Infrastructure)
<b>Reviewer Comments Due By:</b>	Oct 13, 2020
<b>Proponent Responses Due By:</b>	Oct 19, 2020
<b>Documents:</b>	<a href="#">S20E-005 - PCAR Construction Project - Land Use Permit Application - Sep 18 20.pdf</a> 395.02 KB <a href="#">S20L8-002 - PCAR Construction Project - Water Licence Application - Sep 18 20.pdf</a> 451.03 KB <a href="#">S20E-005 - S20L8-002 - Project Description Report with EPP and SLUP Conformity - PCAR Construction Project - Sep 14 20.pdf</a> 5.31 MB <a href="#">S20E-005 - S20L8-002 - Appendix C - Sewage Waste Disposal - Permission from Town of Norman Wells - Sep 14 20.pdf</a> 935.37 KB <a href="#">S20E-005 - S20L8-002 - Appendix D - Letters of Support - Sep 14 20.pdf</a> 1.32 MB <a href="#">S20E-005 - S20L8-002 - Appendix F - Edie Lake Geotechnical Assessment Report - Sep 14 20.pdf</a> 4.37 MB <a href="#">S20E-005 - S20L8-002 - Appendix H - Environmental Overview with TK Studies - Sep 14 20.pdf</a> 8.33 MB <a href="#">S20E-005 - S20L8-002 - Appendix I - Engagement Plan and Record - Sep 14 20.pdf</a> 1.45 MB <a href="#">S20E-005 - S20L8-002 - PCAR Quarry Operations Plan Ver 1 - Sep 23 20.pdf</a> 6.36 MB <a href="#">S20E-005 - S20L8-002 - Spill Contingency Plan Ver 1 - Sep 18 20.pdf</a> 3.89 MB <a href="#">S20E-005 - S20L8-002 - Waste Management Plan Ver 1 - Sep 18 20.pdf</a> 1.91 MB <a href="#">S20E-005 - Draft Land Use Permit Conditions - Sep28 20.pdf</a> 620.73 KB <a href="#">S19L8-002 - Draft Water Licence Conditions- Sep 29 20</a> 735 KB

**Item For Review Distributed On** Sep 24 at 20:08 [Distribution List](#)

#### Item Description

**September 29-30, 2020 Update: Draft Land Use Permit and Water Licence Conditions added to the Public Registry. The documents were e-mailed to SLWB's Tulita Distribution List.**

Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) has submitted a complete application for a Type A land use permit (LUP/Permit) and a Type B Water Licence (WL/Licence) for the Prohibition Creek Access Road (PCAR) Construction Project. GNWT-INF has planned to construct a 13 km all-season access road from the southern end of the Canyon Creek All-Season Access Road (CCASAR) to the Prohibition Creek with a Right of Way (ROW) width of 60 metre (m). The road will consist of a two-lane gravel roadway with an 8.5 m wide driving surface with total footprint of approximately 16.6 m (assuming an average embankment height of 1.5 m with 3H:1V side slopes). The access road will be located within the partially cleared right-of-way (ROW), immediately northeast of the Mackenzie Valley Fibre Line (MVFL) and on the existing Mackenzie Valley Winter Road (MVWR). This project includes the operation of a quarry (Edie Lake Quarry) which was previously developed by GNWT-INF during the CCASAR project. Water sourced (water use estimate: < 250 m3/day) from the Mackenzie River will be used to provide dust suppression, material compaction, and temporary working surfaces during frozen ground conditions. The project is expected to be completed in 18-24 months; the LUP and WL are being sought for a term of five years.

Project exclusions: a) Rehabilitation and/or replacement of bridges along PCAR including Francis Creek, Helava Creek and Christina Creek will be completed under separate regulatory approvals and processes; and b) no camp is required for the project as the personnel will stay in Norman Wells, NWT.

**Reviewers are invited to submit comments and recommendations using the Online Review System (ORS) by the review comment deadline specified below. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the Applicant prior to submitting comments and recommendations.**

**Reviewers may also wish to consider providing an overarching recommendation regarding whether they are in support of the submission, to provide context for comments and recommendations and to assist the Board with its decision. Please provide comments and recommendations on the documents linked below:**

- Land Use Permit Application
- Water Licence Application
- Project Description Report with EPP and SLUP Conformity
- Town of Norman Wells Approval for Sewage Waste Disposal

- **Letters of Support**
- **Edie Lake Geotechnical Assessment Report**
- **Environmental Overview with TK Studies**
- **Engagement Plan and Record**
- **Quarry Operations Plan Version 1**
- **Spill Contingency Plan Version 1**
- **Waste Management Plan Version 1**
- **Draft LUP and WL Conditions (discussed below)**
- **Preliminary Screening (discussed below)**

Please note that the following management plans are anticipated to be revised before the project's commencement (once the final design of the construction work is completed and contractors are finalized): a) Quarry Operations Plan, b) Spill Contingency Plan, and c) Waste Management Plan.

GNWT-INF intends to submit a Permafrost and Erosion Plan (PEP) before the start of construction. GNW-INF will be required to submit the same, allowing sufficient time for public review and approval of the plan before the project commences.

During the public review of PCAR Geotechnical Assessment (under LUP S20S-001) fish habitat study was advised for the PCAR Construction Project. GNWT-INF is completing fisheries assessments of the drainage channels and one ponded area northwest of Prohibition Creek. Upon the completion of the assessments, if potentially fish bearing water bodies are identified, GNWT-INF will submit a request for review to the regional DFO Fish and Fish Habitat Protection Program office. If deemed required by DFO, INF will obtain an authorization in accordance with Section 34.4(2)(b) or 35 (2)(b) of the *Fisheries Act*.

Under the *Preliminary Screening Requirement Regulations of the Mackenzie Valley Resource Management Act (MVRMA)*, the Board must conduct a preliminary screening for an application for a proposed development that requires a land use permit, unless it is exempt from preliminary screening in accordance with the *Exemption List Regulations*. Reviewers are encouraged to provide comments and recommendations (e.g. on impacts and mitigation measures) to assist with the completion of the preliminary screening.

Under the Sahtu Land Use Plan (SLUP), the Board must confirm the Application conforms with the SLUP. Reviewers are encouraged to provide comments and recommendations on conformity with the SLUP.

Please note that a draft Permit and draft Licence will be posted to this review item by **September 29, 2020**. These drafts will be developed using the MVLWB's current Standard Land Use Permit Conditions Template and Standard Water Licence Conditions Template.



Please be advised that comments made by reviewers regarding impacts of this project to wildlife and wildlife habitat in this preliminary screening will inform the GNWT Minister of Environment and Natural Resources' determination regarding whether a Wildlife Management and Monitoring Plan will be required for this project as per section 95 of the *Wildlife Act*.

#### General Reviewer Information

All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Aswathy Mary Varghese at 867-598-2413 ext 223 or e-mail [ash.varghese@slwb.com](mailto:ash.varghese@slwb.com).

**Contact Information** Aswathy Varghese 8675982413

#### Comment Summary

GNWT - ENR - EAM (Environmental Assessment and Monitoring): Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	General File	<b>Comment</b>  ENR GNWT Letter <b>Recommendation</b>		
2	General File	<b>Comment</b>  ENR GNWT Letter		

		Recommendation		
GNWT - Lands - Sahtu Region: Jonathan Gillingham				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	Project Description Report	<p><b>Comment</b></p> <p>6.1 - Project Scope - Talks about using water from the Mackenzie River. However, it doesn't talk about how? The river distance varies throughout the project area; there were no talks about access. Are you going to cut new access lines or use old access lines?</p> <p><b>Recommendation</b> Supply supporting information on how Applicant plans on accessing the water sources.</p>	<p><b>Oct 19:</b> Water required for the Project will be sourced from the Mackenzie River; with the withdrawal location within Norman Wells, NT. If upon contract award, the contractor would like to use alternate means to access the river, INF will secure additional regulatory approvals as deemed necessary by the SLWB prior to advancing any work or using any alternate access route.</p>	<p>The response is acceptable. LUP may be amended accordingly, as required.</p>
2	Project Description Report	<p><b>Comment</b> 6.1 - Project Scope - Talks about using temporary support infrastructure areas. It is mentioned later on there will be one located at the quarry, however, in all the maps there are no actual planned locations. Also, it discusses some along the ROW but doesn't specify locations. 6.8 - Laydown and Equipment Staging Areas - All areas must be pre-approved by an inspector along the ROW. Areas should favour previously cleared land. 6.14.1 - Temporary Work Trailers - All areas must be pre-approved by an Inspector along the ROW. Areas should favour previously cleared land.</p> <p><b>Recommendation</b></p> <p>Provide supporting documentation that illustrates planned laydown and staging areas. (ie maps)</p>	<p><b>Oct 19:</b> The location of the laydown and equipment staging areas will be confirmed by the Contractor upon contract award. As such, it is not possible for INF to provide figures showing their location. The locations will be within the 60 m wide alignment ROW or within the Quarry footprint, in previously disturbed areas, where practicable. INF will provide the locations to the inspector for pre-approval prior to start of work.</p>	<p>Response acceptable; provide supporting documentation and inspector's written approval to be recorded on the public registry.</p>
3	Project Description Report	<p><b>Comment</b> 6.14 - Equipment - Final Equipment List should be supplied after the contract is awarded.</p> <p><b>Recommendation</b></p> <p>Submit final Equipment List</p>	<p><b>Oct 19:</b> INF will provide the final equipment list prior to start of construction as per the terms and conditions of the licence.</p>	<p>The response is acceptable.</p>
4	Waste Management Plan	<p><b>Comment</b> There was written approval for sewage waste to be disposed at the Town of Norman Wells' Sewage Waste Facility; however, no approval for solid waste disposal at the solid waste disposal facility</p> <p><b>Recommendation</b> Obtain written approval from the town to dispose of non-hazardous waste in the town's Solid Waste Facility.</p>	<p><b>Oct 19:</b> INF has received written approval from the Town of Norman Wells regarding disposal of waste at the Solid Waste Facility. Will provide to the SLWB for review and approval.</p>	<p>The response is acceptable. SLWB has received the document (approval to accept non-hazardous waste from PCAR Project).</p>
5	Waste Management Plan	<p><b>Comment</b></p> <p>Table 4-2 - Hazardous waste containment before transportation isn't clear.</p> <p><b>Recommendation</b></p> <p>Hazardous waste and non-hazardous wastes should be stored separately. Indicate how you will store the hazardous wastes to ensure no contamination on the land</p>	<p><b>Oct 19:</b> Hazardous waste and non-hazardous waste will be stored separately. Tables 4-1 and 4-2 in the Project Waste Management Plan outline the handling methods for each of the anticipated wastes generated during the Project. If hazardous materials are not immediately disposed, the wastes will be stored within secondary containment while at the Project worksites.</p>	<p>Response acceptable.</p>
6	Draft Land Use Permit Conditions	<p><b>Comment</b></p> <p>Condition 41 should indicate separate storage for hazardous versus non-hazardous wastes as well.</p> <p><b>Recommendation</b></p> <p>Update condition or add new condition reflecting the storage of hazardous versus non-hazardous wastes</p>	<p><b>Oct 19:</b> Please provide the wording revision on Condition 41 to INF for review and comment.</p>	<p>The Condition has been modified accordingly.</p>

7	Draft Land Use Permit Conditions	<p><b>Comment</b></p> <p>26 (1)(n) - No Salvageable timber condition</p> <p><b>Recommendation</b></p> <p>Add Salvageable timber condition</p>	<p><b>Oct 19:</b> No response.</p>	<p>The Waste Management Plan Table 4-1 has mentioned about merchantable timber to be set aside for public use. Still, Salvageable timber condition added to LUP.</p>
8	Draft Land Use Permit Conditions	<p><b>Comment</b></p> <p>Condition 74 excludes Permafrost Erosion Plan (PEP) and Erosion and Sedimentation Control Plan (ESCP).</p> <p><b>Recommendation</b></p> <p>Update condition adding PEP and ESCP</p>	<p><b>Oct 19:</b> INF will provide a Permafrost Erosion Plan for the Project, which combines the contents of an Erosion and Sedimentation Control Plan, to the SLWB for review and approval prior to the start of work.</p>	<p>Condition modified accordingly.</p>
9	Draft Land Use Permit Conditions	<p><b>Comment</b></p> <p>No condition request a copy of the Hydrological and Topographical Survey's or the Final Design Plan</p> <p><b>Recommendation</b></p> <p>Add Condition requesting these items be submitted 90 days before the start date of the permit.</p>	<p><b>Oct 19:</b> No response. INF will submit documents as per recommendation.</p>	<p>Condition added accordingly.</p>
10	Edie Lake Quarry (QOP)	<p><b>Comment</b></p> <p>3.6 - No mention of separate storage for hazardous versus non-hazardous wastes</p> <p><b>Recommendation</b></p> <p>Indicate how you will store the hazardous and non-hazardous waste separately</p>	<p><b>Oct 19:</b> See response to ID #5.</p>	<p>It must be mentioned in section 3.6 of QOP how hazardous and non-hazardous waste will be stored separately.</p>
11	Spill Contingency Plan	<p><b>Comment</b></p> <p>4.1.1 - Indicates refuelling of vehicles and equipment will occur at least 30m from OHWM. But PDR in Section 6.15 indicates Vehicles and equipment will be refuelled at least 100 m from the ordinary high-water mark of any water body</p> <p><b>Recommendation</b></p> <p>Update SCP to follow PDR</p>	<p><b>Oct 19:</b> The SCP will be updated to indicate that fueling activities will occur at least 100 m from the OHWM of any waterbody.</p>	<p>Response acceptable.</p>

**GNWT - PWNHC (Prince of Wales Northern Heritage Centre (w/in ECE)): Naomi Smethurst**

ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	Protection of Historical, Archaeological, and Burial Sites	<p><b>Comment</b> An AOA and AIA have been completed for the Edie Lake Quarry. An AOA has been completed for the ROW and an AIA is expected to be completed in 2020. As the AIA has not yet been completed, AOA and AIA-High Potential conditions should be</p>	<p><b>Oct 19:</b> No response. INF does not have a concern adhering to this requirement.</p>	<p>Comment and response acceptable. Condition added accordingly.</p>

		added to Land Use Permit Conditions. <b>Recommendation</b> Add AOA and AIA-High Potential standard conditions to Land Use Permit S20E-005.		
<b>SLWB: Aswathy Varghese</b>				
<b>ID</b>	<b>Topic</b>	<b>Reviewer Comment/Recommendation</b>	<b>Proponent Response</b>	<b>Board Response</b>
1	Draft Permit and Licence Conditions	<p><b>Comment</b> The following two items in the scope of the project appear in the application; they are omitted from the draft conditions:</p> <ol style="list-style-type: none"> <li>1. Environmental planning and engineering studies.</li> <li>2. Geotechnical studies including geotechnical drilling at the quarry and along the road alignment.</li> </ol> <p>SLWB staff had omitted these items from the current draft permit and licence for the PCAR project as the staff believed that the planning component is covered under the PCAR project description report. The geotechnical investigations are covered under previous authorizations ( PCAR geotechnical investigation permit S20S-001 and authorizations for CCASAR project covering geotechnical drilling at the Edie Lake Quarry). Based on a recent clarification with GNWT-INF, SLWB staff understands that the project may require additional project planning and geotechnical drilling work under unforeseen circumstances. SLWB staff will include the omitted items in the permit and licence conditions.</p> <p><b>Recommendation</b> SLWB staff recommends GNWT-INF to summarize the additional planning and geotechnical work anticipated in the event of unforeseen circumstances.</p>	<p><b>Oct 19:</b> As outlined in Section 6.5.2 of the Project Description Report, several studies are required prior to finalizing the design of the access road. These include: - Thermal Assessment - Archeology Impact Assessments - in areas of high archeological potential identified in the previously completed Archeology Overview Assessments. - Hydrology and Fish Assessments - Topographic Survey - Pre-Disturbance Den and Nest Surveys With the exception of the Pre-Disturbance Den and Nest Surveys (which will not be completed until work commences), the field work for the additional studies have been completed in the summer and/or fall 2020. INF is currently awaiting issuance of the final reports for each of the pieces of work. The geotechnical assessment at the Edie Lake Quarry will be completed under a separate permit issued as part of the CCASAR Project (S15E-004). The field work will be completed in early November, 2020; with final report issuance in early January 2021. At this time, there is no requirement for additional geotechnical work along the alignment. If there is a requirement to complete additional drilling; would it be permissible to insert a condition that INF notify and obtain authorization from the Inspector on the completion of any drilling? Alternatively, we can remove geotechnical assessment from the Project scope and, if it is required, complete the work under the previously issued LUP S20S-001.</p>	<p>Impacts and Mitigation Measures for geotechnical drilling were not included in the Environment Protection Plan. (Also, geotechnical drilling methodology and specifications are not described in the PDR.) Therefore, any outstanding or unforeseen geotechnical studies have to be dealt with under other new or existing permits, as applicable.</p>



October 13, 2020

Aswathy Varghese  
Regulatory Specialist  
Sahtu Land and Water Board  
Box 1, Fort Good Hope  
Northwest Territories  
X0E 0H0

Dear Aswathy Varghese,

**Re: INF GNWT  
Land Use Permit Application – S20E-005  
Water Licence Application – S20L8-002  
PCAR Construction Project  
Request for Review and Comments**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the application at reference based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act*, the *Species at Risk (NWT) Act*, the *Waters Act* and the *Wildlife Act* and has no comments or recommendations for the consideration of the Board at this time.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email [patrick.clancy@gov.nt.ca](mailto:patrick.clancy@gov.nt.ca).

Sincerely,

Patrick Clancy  
Environmental Regulatory Analyst  
Environmental Assessment and Monitoring Section  
Environmental Stewardship and Climate Change Division  
Department of Environment and Natural Resources  
Government of the Northwest Territories