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[www.glwb.com](http://www.glwb.com)

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January 26, 2022

File: G18L8-001

Bruno Pereira  
Director  
NWT Energy Corporation (03) Ltd.  
4 Capital Drive  
Hay River, NT X0E 1G2

sent via email

Dear Mr. Pereira:

**Re: Revision of Erosion and Sediment Control Plan V 1.0 Required**

The Gwich'in Land and Water Board (GLWB) Met on January 26, 2022, to consider Erosion and Sediment Control Plan Version (ESCP) 1.0, which was submitted by NWT Energy Corporation (03) Ltd. (NTEC) in accordance with Water Licence G18L8-001, Condition F, Item 3.

The GLWB did not approve ESCP V 1.0. and directs NTEC to revise the plan by addressing the comments and recommendations received during the public review period and submit ESCP 1.1 to the Board for approval.

The GLWB instructs NTEC comply with the ESCP V 1.0 until such a time as V 1.1 is approved. Please note that until the revised Plan is approved, the Licensee may not commence the activities associated with the revisions (including in water works or discharge of water).

Please see the attached Reasons for Decision and do not hesitate to contact Regulatory Specialist AlecSandra Macdonald should you have any questions pertaining to this letter.

Yours sincerely,

Elizabeth Wright,  
Chair, Gwich'in Land and Water Board



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## Reasons for Decision

<b>File Number:</b>	<a href="#">G18L8-001</a>
<b>Applicant:</b>	NWT Energy Corporation (03) Ltd. (NTEC)
<b>Project:</b>	Inuvik Wind Project
<b>Subject:</b>	Erosion and Sediment Control Plan (ESCP) V 1.0
<b>Meeting Date:</b>	January 26, 2022

### 1. Decision

On January 26, 2022 the Gwich'in Land and Water Board (GLWB or the Board) met and considered Erosion and Sediment Control Plan (ESCP) V 1.0 which was submitted by NTEC in accordance with Water Licence G18L8-001.

- The Board has decided not to approve ESCP V 1.0

NTEC is required to submit ESCP V 1.1 to the Board for approval. ESCP V 1.1 shall address the comments and recommendations received during the public Review of ESCP 1.0.

### 2. Background

On November 20, 2020, NTEC was issued Permit G18X005 and Licence G18L8-001, for the Inuvik Wind Project. Licence Condition F, Item 3 states that "prior to commencement of Construction, the Licensee shall submit to the Board for approval a Sediment and Erosion Control Plan".

### 3. Regulatory Process

Table 1 Presents a tabular summary of the Regulatory Process Table 2 Identifies the distribution list for the proceeding.

**Table 1 – Regulatory Process Overview**

<b>Date</b>	<b>Step in Proceeding</b>
December 7, 2021	ESCP V 1.0 received
December 14, 2021	ESCP V 1.0 circulate for public review
Dec 20 – Jan 3, 2022	GLWB Offices closed for Holidays
January 10, 2022	Reviewer comments due and received
January 13, 2022	Applicant comments due
January 26, 2022	Application presented to the Board for decision.

**Table 2 – Gwich'in Distribution List**

Aklavik Indian Band
Canadian Northern Economic Development Agency
Charter Community of Tsiigehtchic
Ehdiitat Gwich'in Renewable Resources Council (Aklavik)
Ehdiitat Gwich'in Council (Aklavik)
Environment and Climate Change Canada
Fisheries and Oceans Canada
GNWT Department of Environment and Natural Resources
GNWT Department of Executive and Indigenous Affairs
GNWT Department of Health and Social Services
GNWT Department of Lands
GNWT Department of Municipal and Community Affairs
GNWT Prince of Wales Northern Heritage Centre
Government of Canada – Department of Infrastructure
Gwich'in Tribal Council
Gwich'in Tribal Council – Department of Cultural Heritage
Gwich'in Land Use Planning Board
Gwich'in Renewable Resources Board
Gwichya Gwich'in Band (Tsiigehtchic)
Gwichya Gwich'in Council DGO (Tsiigehtchic)
Gwichya Gwich'in Renewable Resources Council (Tsiigehtchic)
Hamlet of Aklavik
Hamlet of Fort McPherson
Inuvik Native Band
Mackenzie Valley Environmental Impact Review Board
National Energy Board
Nihtat Gwich'in Council DGO (Inuvik)
Nihtat Gwich'in Renewable Resources Council (Inuvik)
Tetlit Gwich'in Band (Fort McPherson)
Tetlit Gwich'in Council DGO (Fort McPherson)
Tetlit Gwich'in Renewable Resource Council (Fort McPherson)
Town of Inuvik
Transport Canada

## Public Review

By the end of the public review period, the GLWB received comments from Environment and Climate Change Canada; GNWT Department of Environment and Natural Resources, Gwich'in Tribal Council Department of Lands and Resources, Gwich'in Tribal Council – Department of Cultural Heritage and Fisheries and Oceans Canada. These comments can be found on the GLWB Public Register<sup>1</sup> and are summarized below.

**In-water Works:** ECCC, GTC and DFO all requested that the Proponent clarify whether the project will include any in-water works. ECCC recommended that any stream crossings be included in the site layout map. ECCC recommended that if in-water works will be conducted, then the response framework should also include quantitative water quality triggers for protection of the aquatic receiving environment. GTC also recommended that additional mitigation measures be added should in water works be undertaken. DFO commented they do not have sufficient information to determine whether the proposed work will result in the death of fish and/or the harmful alteration, disruption or destruction of fish habitat, and recommended that NTEC submit a Request for Review before proceeding further.

**Water Quality Monitoring:** ECCC and ENR both recommended that monitoring parameters for discharged water be included in the Plan, particularly for TSS/turbidity. ENR noted inconsistencies between proposed monitoring frequencies, and requested clarification regarding the frequency of monitoring, the risk level, and the action levels proposed by ESCP 1.0.

**Mitigation Measures:** ENR commented that not all the measure identified in the construction sequence are identified in the mitigation Table 1. GTC recommended adding mitigation measures to address the tracking of soil from the project onto the Dempster Highway. GTC commented that that silt fencing was only adequate in low flow situations, and that additional mitigation measures should be considered, if the terrain and drainage system warranted it. GTC DCH commented that if erosion will impact outside those that have undergone archaeological assessment, then post-impact assessments may be required

**Discrepancies and Updates:** ENR noted that certain tables and sections were incorrectly referenced within the document. ENR also recommended clearer figures and updated acronym and definition section.

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<sup>1</sup> See [glwb.com](http://glwb.com) for [G18L8-001 - Inuvik Wind Project - Reviewer Comments on ESCP V1.0 - Jan26 22](#)

**5. Conclusion**

NTEC is required to submit ESCP V 1.1 to the Board for approval. ESCP V 1.1 shall address the comments and recommendations received during the public review of ESCP V 1.0. NTEC shall not commence the activities associated with the revisions (including in water works or discharge of water) until such a time as the revised plan is approved.

ESCP V 1.1 shall be considered approved upon confirmation of conformity by Board Staff.

SIGNATURE



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Elizabeth Wright,  
Chair, Gwich'in Land and Water Board

**January 26, 2022**

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Date