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PRELIMINARY SCREENING REPORT FORM

PRELIMINARY SCREENER: WLWB REFERENCE / FILE NUMBER: W2016E0004 and W2016L8-0001 TITLE: Type A Land Use Permit and Type B Water Licence Application for the Tlicho All-Season Road (TASR) ORGANIZATION: Government of the Northwest Territories Department of Infrastructure (GNWT-INF) MEETING DATE: April 17, 2019	EIRB REFERENCE NUMBER: EA 1617-01
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Type of Development:
(CHECK ALL THAT APPLY)

- New
- Amend, EIRB Ref. # _____
- Requires permit, license or authorization
- Does not require permit, license or authorization

Project Summary

The proposed Tlicho All-Season Road (TASR) Project involves the construction, maintenance, and operation of a 97 km-long dual lane gravel highway running from km #196 on Highway 3, near Behchokò, to the community of Whati. The highway would consist of a 60 m right-of-way and 16 water course crossings requiring culverts or bridges.

The Government of Northwest Territories Department of Infrastructure (GNWT-INF), at the time GNWT-Department of Transportation, first applied to the Wek'èezhìi Land and Water Board (WLWB) for the Type A Land Use Permit (the Permit) and Type B Water Licence (the Licence) on March 31, 2016. On July 21, 2016, the Mackenzie Valley Environmental Impact Review Board (Review Board) decided on its own motion, to conduct an environmental assessment of the TASR Project.¹ A final decision from the Minister of Lands was rendered on October 25, 2018² approving the Project and allowing it to proceed to the permitting and licensing phase. As per the Report of EA, "77 kilometres of the route is on territorial lands and 17 kilometers are on Tìchqò lands, which the GNWT and Tìchqò Government have agreed will be transferred to the to the GNWT".

On January 7, 2019, the GNWT-INF applied for a Type A Land Use Permit and Type B Land Use to the WLWB. The GNWT-INF has identified the following as changes to the Project since the March 30, 2016 submission and/or environmental assessment:

- A total of 21 borrow sources being investigated instead of the 13 listed in the Adequacy Statement Response
- Sewage disposal may now include removal to community sewage lagoon, on-site lagoons, or treatment plants
- Increase in estimated solid waste generated from 75 m³ to approximately 5,500 m³ per year
- Increase in number of construction camps from two to three – combined capacity remains at 300 crew
- Northern abutment of the La Maître River bridge has been moved by approximately 40 m to provide a shorter span
- Potential stream re-alignment at Crossing 10a to provide a more direct crossing and reduce erosion

¹ See WLWB Online Registry at www.wlwb.ca for [W2016L8-0001 – TASR – MVEIRB Environmental Assessment Notification and Reasons for Decision – Jul 27 16](#)

² See WLWB Online Registry at www.wlwb.ca for [W2016L8-0001 – TASR – Minister's Final Wording and Reasons for Decision for the GNWT TASR Project – Oct 25 18](#)

Principal Activities (related to scoping)

(CHECK ALL THAT APPLY)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Exploration | <input type="checkbox"/> Decommissioning |
| <input checked="" type="checkbox"/> Installation | <input type="checkbox"/> Industrial | <input type="checkbox"/> Abandonment |
| <input checked="" type="checkbox"/> Maintenance | <input type="checkbox"/> Recreation | <input type="checkbox"/> Aerial |
| <input type="checkbox"/> Expansion | <input type="checkbox"/> Municipal | <input type="checkbox"/> Harvesting |
| <input checked="" type="checkbox"/> Operation | <input checked="" type="checkbox"/> Quarry | <input checked="" type="checkbox"/> Camp |
| <input type="checkbox"/> Repair | <input checked="" type="checkbox"/> Linear / Corridor | <input type="checkbox"/> Scientific/ |
| <input type="checkbox"/> Research | | |
| <input checked="" type="checkbox"/> Water Intake | <input checked="" type="checkbox"/> Sewage | <input checked="" type="checkbox"/> Solid Waste |
| <input type="checkbox"/> Other: | | |
-

Principal Development Components (related to scoping)

- | | |
|---|--|
| <input type="checkbox"/> Access Road | <input type="checkbox"/> Waste Management |
| <input checked="" type="checkbox"/> construction | <input type="checkbox"/> disposal of hazardous waste |
| <input type="checkbox"/> abandonment/removal | <input checked="" type="checkbox"/> waste generation |
| <input type="checkbox"/> modification e.g., widening, straightening | <input checked="" type="checkbox"/> Sewage |
| <input type="checkbox"/> Automobile, Aircraft or Vessel Movement | <input checked="" type="checkbox"/> disposal of sewage |
| <input checked="" type="checkbox"/> Blasting | <input checked="" type="checkbox"/> Geoscientific Sampling |
| <input type="checkbox"/> Building | <input type="checkbox"/> trenching |
| <input type="checkbox"/> Burning | <input type="checkbox"/> diamond drill |
| <input type="checkbox"/> Burying | <input type="checkbox"/> borehole core sampling |
| <input type="checkbox"/> Channeling | <input type="checkbox"/> bulk soil sampling |
| <input type="checkbox"/> Cut and Fill | <input type="checkbox"/> Gravel |
| <input checked="" type="checkbox"/> Cutting of Trees or Removal of Vegetation | <input type="checkbox"/> Hydrological Testing |
| <input type="checkbox"/> Dams and Impoundments | <input type="checkbox"/> Site Restoration |
| <input type="checkbox"/> construction | <input type="checkbox"/> fertilization |
| <input type="checkbox"/> abandonment/removal | <input type="checkbox"/> grubbing |
| <input type="checkbox"/> modification | <input type="checkbox"/> planting/seeding |
| <input type="checkbox"/> Ditch Construction | <input type="checkbox"/> reforestation |
| <input type="checkbox"/> Drainage Alteration | <input type="checkbox"/> scarify |
| <input type="checkbox"/> Drilling other than Geoscientific | <input type="checkbox"/> spraying |
| <input type="checkbox"/> Ecological Surveys | <input type="checkbox"/> recontouring |
| <input type="checkbox"/> Excavation | <input type="checkbox"/> Slashing and removal of vegetation |
| <input type="checkbox"/> Explosive Storage | <input type="checkbox"/> Soil Testing |
| <input checked="" type="checkbox"/> Fuel Storage | <input checked="" type="checkbox"/> Stream Crossing/Bridging |
| <input checked="" type="checkbox"/> Topsoil, Overburden or Soil | <input type="checkbox"/> Tunneling/Underground |
| <input type="checkbox"/> fill | <input type="checkbox"/> Other (describe): |
| <input type="checkbox"/> disposal | |
| <input type="checkbox"/> removal | |
| <input type="checkbox"/> storage | |
-

NTS Topographic Map Sheet Numbers

NAD 83 Map Sheet No. 85N/3, 85N/2, 85K/15, 85K/10, 85K/7, 85K/8

Latitude / Longitude and UTM System:

Latitude 63°14'0.00"N to 62°26'0.00"N Longitude 116°25'60.00"W to 117°10'0.00"W

Nearest Community and Water Body:

Alignment begins approximately 40 km southwest of Behchoko near km 196 along Highway 3 to the community of Whati

Land Status (*consultation information*)

- Free Hold / Private Commissioners/Territorial Land Federal Crown Land Municipal Land
 Tliche Lands

Transboundary Implications

- British Columbia Alberta Saskatchewan Yukon
 Nunavut Wood Buffalo National Park Inuvialuit Settlement Region

Type of Transboundary Implication:

- Impact / Effect Development

Public Concern _____
(DESCRIBE)

PHYSICAL - CHEMICAL EFFECTS

IMPACT

1. Ground Water

- water table alteration
- water quality changes
- infiltration changes
- other
- N/A

MITIGATION

IMPACT

2. Surface Water

- flow or level changes
- water quality changes

MITIGATION

On-site disposal of Sewage has the potential to result in deleterious substances potentially reaching water courses and affecting the water quality. Sewage disposal may now include removal to community sewage lagoon, on-site lagoons, or treatment plants. A separate proceeding is currently underway for a change to the design of the Community Government of Whati's sewage facility to accommodate additional waste due to the TASR project. The Land Use Permit includes the following condition:

The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan. (SEWAGE DISPOSAL – PLAN)

GNWT-INF has committed to updating its **Waste Management Plan** to confirm that “no material will be deposited within 100 m of a water body or to a drainage area that leads to a waterbody and onsite lagoons or site-specific treatment systems will be monitored daily to ensure they are functioning correctly. A vendor review will be completed for any waste haulers to ensure equipment and training requirements are adequate. Vendor performance will be monitored on a regular basis.”

Quarry operations may affect water quality if carried out in close proximity to water courses. The Land use permit includes the following condition:

The Permittee shall not conduct a quarry operation within 100 metres of the Ordinary High-Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. (QUARRY SETBACK)

- water quantity changes
- Drainage pattern changes
- temperature
- wetland changes / loss
- other:
- N/A

IMPACT

3. Noise

- noise in/near water
- other: noise increase
- N/A

MITIGATION

IMPACT

4. Land

- geologic structure changes
- soil contamination
- buffer zone loss
- soil compaction & settling
- Destabilization / erosion

MITIGATION

Construction activities at La Maître River bridge or with the potential stream re-alignment at Crossing 10a may cause instability or erosion. The Land Use Permit and Water Licence have conditions requiring an Erosion and Sedimentation Plan that the Licensee/Permittee is to comply with once approved:

*“Within 60 days of the effective date of the Permit, the Permittee shall submit to the Board for approval an **Erosion and Sedimentation Plan.**” (EROSION AND SEDIMENTATION PLAN)*

In addition, the Land Use Permit contains the following conditions to mitigate erosion:

“The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses.” (PROGRESSIVE EROSION CONTROL); and

The Permittee shall minimize approach grades on all Watercourse crossings, unless otherwise approved by the Board. (MINIMIZE APPROACH)

- permafrost regime alteration

- other: explosives/scarring
Acid generation potential and metal leaching potential

Excavation and the use of explosives at prospective quarry sites will be managed under the **Quarry Operations Plan** which is required under the Land Use Permit and Water Licence.

The following condition is included in the land use permit: *A minimum of 90 days prior to the commencement of a quarry operation, the Permittee shall submit a **Quarry Operations Plan** to the Board for approval. (QUARRY OPERATIONS PLAN)*

Rock from quarries and borrow sources has potential to be acid generating or metal leaching. The GNWT-INF’s commitments in the Report of EA state that the developer has committed that borrow sources that have been characterized as having high or moderate acid rock drainage or metal leaching potential will not be used.

- N/A

IMPACT

5. Non-Renewable Natural Resources

- resource depletion
- other:

MITIGATION

N/A

IMPACT

6. Air/Climate/ Atmosphere

MITIGATION

Other

N/A

BIOLOGICAL ENVIRONMENT

IMPACT

1. Vegetation

MITIGATION

species composition

species introduction

toxin / heavy accumulation

other:

N/A

IMPACT

2. Wildlife & Fish

MITIGATION

effects on rare, threatened or endangered species

fish population changes

waterfowl population changes

breeding disturbance

population reduction

species diversity change

health changes
(Identify)

behavioural changes
(Identify)

habitat changes / effects

On-site disposal of Sewage has the potential to result in deleterious substances potentially reaching water courses that provide habitat for fish. The following condition is included in the Land Use Permit: *The Permittee shall dispose of all Sewage and Greywater as described in the approved Waste Management Plan. (SEWAGE DISPOSAL – PLAN)*

GNWT-INF is required to update the **Waste Management Plan** with a commitment made during the public review that “no material will be deposited within 100 m of a water body or to a drainage area that leads to a waterbody and onsite lagoons or site-specific treatment systems

will be monitored daily to ensure they are functioning correctly. A vendor review will be completed for any waste haulers to ensure equipment and training requirements are adequate. Vendor performance will be monitored on a regular basis.”

- game species effects
- toxins / heavy metals
- forestry changes
- agricultural changes
- other:
- N/A

INTERACTING ENVIRONMENT

IMPACT

MITIGATION

1. Habitat and Communities

- predator-prey
- wildlife habitat / ecosystem
Composition changes
- reduction / removal of keystone
or endangered
species
- removal of wildlife corridor or
buffer zone
- other:
- N/A

IMPACT

MITIGATION

2. Social and Economic

- planning / zoning changes or
conflicts
- increase in urban facilities or
services use
- rental house
- airport operations / capacity
changes
- human health hazard
- impair the recreational use of
water or aesthetic quality

affect water use for other purposes

affect other land use operations

quality of life changes

public concern

other: waste disposal authorizations

The increase in solid waste generated from 75 m³ to approximately 5,500 m³ per year can cause strain to the receiving communities if they are unable to handle the waste volume. Written confirmation from the communities and an updated Waste Management Plan is required prior to GNWT-INF disposing of its waste off-site in community waste management facilities.

N/A

IMPACT

MITIGATION

3. Cultural and Heritage

effects to historic property

increased economic pressure on historic properties

change to or loss of historic resources

change to or loss of archaeological resources

increased pressure on archaeological sites

change to or loss of aesthetically important site

effects to aboriginal lifestyle

other:

N/A

NOTES:

PRELIMINARY SCREENER / REFERRING BODY INFORMATION

(CHECK ALL THAT APPLY)

	RA or DRA	ADVICE	PERMIT REQUIRED
Environment Canada	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fisheries and Oceans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indian and Northern Affairs Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Heritage (Parks Canada)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Resources Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Works and Government Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transport Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Northern Oil and Gas Directorate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Nuclear Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Industry Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canadian Transportation Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Defense	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GNWT – ENR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GNWT - MACA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GNWT - Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prince of Wales Heritage Center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MVEIRB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MVLWB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Deh Cho First Nations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tlicho Government	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Behchoko Community Government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gameti Community Government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wekweèti Community Government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Whati Community Government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lutsel K'e Dene First Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Akaiicho Prescreening Board	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rae-Edzo Metis Local #64	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
North Slave Metis Alliance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Northwest Territory Metis Nation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REASONS FOR DECISION

(LIST ALL REASONS AND SUPPORTING RATIONALES FOR PRELIMINARY SCREENING DECISION)

DECISION:

The Wek'èezhii Land and Water Board (The Board) is satisfied that the preliminary screening of changes to application Land Use Permit W2016E0004 and Water Licence W2016L8-0001, Government of the Northwest Territories - Department of Infrastructure, Construction of the Tlicho All-Season Road has been completed in accordance with Section 125 of the *Mackenzie Valley Resource Management Act (MVRMA)*.

The Board is satisfied that a reasonable period of notice was given to Communities and First Nations affected by the application as required by Subsection 63(2) of the MVRMA so that they could provide comments to the Board.

The Board is also satisfied that the Tlicho Government has also been consulted in accordance with Section 63 of the MVRMA.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any staff reports prepared for the Board, the Board has decided that in its opinion that:

- there is no reasonable likelihood that the proposed development might have a significant adverse impact on the environment; and
- there is no reasonable likelihood that the proposed development might be a cause of public concern.

The Board is also of the opinion that the application can proceed through the permitting and licensing process and that any impacts of the development on the environment can be mitigated through the imposition of conditions in the attached Land Use Permit and Water Licence.

As a result, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the MVRMA and the Mackenzie Valley Land Use Regulations has decided that this Water Licence and Land Use Permit be issued subject to the conditions contained therein.

PRELIMINARY SCREENING DECISION	
<input type="checkbox"/>	Outside Local Government Boundaries
<input type="checkbox"/>	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	Wholly within Local Government Boundaries
<input type="checkbox"/>	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>

Preliminary Screening Organization



Chair, Wek'èezhii Land and Water Board