



ENVIRONMENTAL IMPACT SCREENING COMMITTEE

February 25th, 2019

EISC Registry File: [11-18-06]

Deniz Baykal
Environmental and Climate Change Canada
Place Vincent Massey Annex
351 Boulevard St. Joseph
Gatineau, QC
K1A 0H3

Project Title: Mould Bay Causeway Project

Proponent: Environment and Climate Change Canada

Dear Deniz Baykal:

Thank you for submitting your project description (**PD**) to the Environmental Impact Screening Committee (**EISC**) for the above-named project. The EISC mandate is derived from the *Inuvialuit Final Agreement (IFA)* section 11(36), which states that “no license or approval shall be issued that would have the effect of permitting any proposed development to proceed unless the provisions of IFA section 11(36) have been complied with”.

During its special meeting on February 23rd, 2019, the EISC discussed your project proposal and reviewed the Screening Record (**Record**) compiled over the screening comment period. The EISC determined that the Record was complete for the purpose of making an EISC decision and closed the Record. After closing the Record, the EISC Chair appointed a Screening Panel (**Panel**) pursuant to Section 11. (19) of the IFA. The Panel then met to determine if the proposed development could have a significant negative environmental impact, or whether the development, if likely to cause an impact, could have a significant negative impact on present or future wildlife harvesting.

After careful deliberation, the Panel delivered an **11(17)(b)** decision:

“The development, if authorized subject to environmental terms and conditions recommended by the Screening Committee, will have no such significant negative impact and may proceed without environmental impact assessment and review under the Inuvialuit Final Agreement.” [IFA s. 11. (17)(b)]

This decision is subject to the Proponent carrying out all commitments made in its PD, the recommendations made by the various agencies which commented on the Project (summarized in the Review of the Record section below), and the following Panel recommendations:

1. The Proponent noted in Table 6-3 of the Project Description that Inert Waste would be crushed (if possible) and stockpiled for later removal. The Proponent should provide the expected date of removal of Inert Waste.
2. The Proponent indicated in Appendices A through F that plans will be finalized for regulatory approval by the contractor selected by Environment and Climate Change Canada to complete the Mould Bay Causeway Reconstruction project. The Panel recommends that these plans be

completed as soon as possible, subject to the specific requirements of the regulators.

Review of the Record

In reaching this section 11(17)(b) decision, the EISC considered the information contained in the PD and comments and advice received from reviewers during the screening comment period, which concluded February 23rd, 2019. These considerations are summarized below. Note that this summary is intended to assist the reader in understanding the EISC's reasoning and does not mean that the EISC did not consider all relevant portions of the Record with respect to the matter.

Department of Education, Culture, and Employment (ECE)

Archaeological site RbPw-2 is within the general site plan area however the proposed activities associated with this file are not in conflict with the archaeological site. The Proponent should access the NWT Archaeological database to obtain the location of the archaeological site and ensure that it is avoided by a minimum distance of 50m.

Department of Environment and Natural Resources (ENR)

ENR provided several comments and recommendations on Fuel Storage and Spill Contingency Planning and Reporting, Wildlife Disturbance and Harassment, Wildlife Sightings and Encounters, Wildlife Attractants and Waste Management, Northwest Territories Listed and Pre-listed Species at Risk, Wildlife Cumulative Effects Tracking, and Wildlife Abodes. ENR also included 'General Bear Encounter Guidelines' and a 'Flying Low' brochure for the Proponent's reference.

Department of Fisheries and Oceans

DFO requested additional information from the Proponent in order to determine whether or not serious harm to fish is likely. This information request included:

- the footprint below the high-water mark for various components of the proposed work;
- the project outlet velocities for each culvert under 1:2-year flow conditions;
- the average wetted depth and channel width of Station Creek and the washout channel;
- the minimum water depth in the culverts during periods of active low flow;
- an estimate of the number of fords that will be required on a daily basis;
- the fish habitat in the vicinity of the area where fording will be permitted;
- differentiate the footprint below the high-water mark associated with the replacement culverts and provide an estimate of how long works are anticipated to take at this location;
- differentiate the footprint below the high-water mark associated with the installation of the new culverts and provide an estimate of how long works are anticipated to take at this location;
- the footprint below the high-water mark associated with infill within the existing causeway;
- DFO recommends that the fewest fords across Station Creek be considered to prevent the suspension of sediment in the watercourse;
- an estimate of the footprint below the high-water mark where fording of Station Creek will be permitted;
- are fish rescue efforts anticipated in areas of proposed work? If so, what methods will be employed?

DFO recommends that the following mitigation measures be implemented by the proponent:

- minimize duration of in-water work;
- schedule work to avoid wet, windy, and rainy periods that may increase erosion and sedimentation;
- ensure that building material used in a watercourse has been handled and treated in a manner to prevent the release of leaching of substances into the water that may be deleterious to fish;
- avoid using explosives in or near waterbodies that contain fish. Use of explosives in or near water produces shock waves that can damage a fish swim bladder and rupture internal organs. Blasting

vibrations may also kill or damage fish eggs or larvae.

*All these communications are available on the EISC Public Registry.

Reasons for Decision

Among the key considerations informing the Panel's decision are the following:

1. Nature of Activities:

- i. The project will address the degradation of the existing causeway which provides access from the airstrip to the weather station. The causeway crossing Station Creek has been prone to wash out for the past ten years and the proponent has proposed to construct a new watercourse crossing. The current condition of the causeway has prevented activities identified in EISC Registry file# 05-16-10 from taking place, including the decommissioning of the weather station's fuel tank system.
- ii. The work required includes:
 - a) Construction of a new watercourse crossing of Station Creek to connect the airstrip to the existing causeway
 - b) Repair of the existing causeway
 - c) Material extraction from one or more existing borrow sources
 - d) Repair of existing access roads
 - e) Operation of a temporary camp
- iii. Daily monitoring will take place for the implementation of spill contingency and waste management plans, effectiveness of sedimentation and erosion control measures, wildlife observations, and construction monitoring and inspection. Following construction monitoring of culvert performance and effectiveness of sedimentation and erosion control measures will continue.
- iv. Fuel:

Amount: Approximately 100,000 litres of diesel will be required.

Storage: Flexible tanks with secondary containment which are capable of retaining 110% capacity of the tanks/drums. Containers will be stored 50m from the ordinary high-water mark. All fuel will be removed from the site at the end of operations. Spill Contingency Plan in place as shown in Appendix A of the Project Description.
- v. Waste:
 - a) Food waste and other combustible waste such as paper products and non-plastic packaging will be incinerated on site. Solid waste will be incinerated as per manufacturer's specification and by applicable guidance documents such as the Government of the Northwest Territories Municipal Solid Wastes Suitable for Open Burning Guidelines.
 - b) Non-combustible waste such as plastic will be backhauled for recycling and disposal.
 - c) Sewage will be collected in toilet bags and backhauled for disposal.
 - d) Grey water will be either treated on site or filtered.
 - e) Hazardous waste will be collected and brought to a waste transfer facility approved to accept such waste.
 - f) Inert waste (scrap metal) will be stockpiled for future removal

2. **Location:**
 - i. The site is located along the east side of Mould Bay along the eastern coast of Prince Patrick Island on Category E lands as identified in the Olokhaktomiut Community Conservation Plans.
3. **Duration:**
 - i. Staging and Mobilization: April to June 15, 2019
 - ii. Project Construction: July – September 2019
 - iii. Demobilization: September 2019 or prior to March 31, 2020
4. **Timing:**
 - i. Coincides with bird migration to area which occurs between May to August
5. **Frequency:**
 - i. Once over a one-year period.
6. **Magnitude of environmental effect:**
 - i. Low with proposed mitigation measures outlined in the proponent's project description.
7. **Scale of the environmental effect:**
 - i. The site covers 1.7 km² of land
8. **Nature of environmental effect (potential direct, indirect, cumulative impact):**
 - i. Direct and indirect impacts to the terrain, soil, and permafrost from access and extraction material from borrow source, travelling around site, and potential fuel or hazardous waste spills.
 - Mitigation measures:**
 - Develop Pit Development Plan to detail measures to be followed during pit operations and closure
 - Minimize size of blast and frequency of blasting
 - Conduct blasting activities at least 50 m from waterbodies
 - Minimize overall use of ATVs and trucks
 - Minimize water course crossings
 - Minimize supply flights to site to avoid need to travel to airstrip
 - Re-contour borrow sources after use
 - Develop project specific pit development plan
 - Excavate existing borrow sources
 - Replace surface soil after borrow materials excavated
 - Borrow sources will be graded to minimize ponding and damage to permafrost
 - Excavation will be limited to the center area in the borrow source to avoid damage to adjacent lands
 - Develop spill contingency plan including reporting procedures
 - On site spill kits
 - Drip trays for all vehicles to be in place when vehicles are not being used
 - Fuel containment
 - Specific fueling locations and procedures to avoid spills and minimize impact areas
 - Maintain and check equipment for leaks of oil and fuel
 - ii. Direct and indirect impacts to the water quality due to release of grey water, causeway construction, and temporary disturbance from ATV travel

Mitigation measures:

- ATVs and mobile equipment will avoid steep banks at crossings
- Temporary crossing sites will be established following DFO (2012) guidelines
- Implement erosion control measures
- Maintain and clean equipment to avoid fuel, oil or grease leaks to environment
- Camp grey water released to land after treatment and testing and at a minimum of 100 m from high water mark of water body
- Fuels will be stored with secondary containment
- Drip trays will be used for refueling activities
- Fueling will be at designated fueling areas

- iii. Direct and indirect impacts to fish and fish habitat through access road construction and use and equipment refueling.

Mitigation measures:

- Develop and implement an erosion and sediment control plan
- Minimize access to the water course and banks to minimize bank erosion
- silt fencing will be used
- Erosion and sediment control plans will be developed and implemented to limit the material entering the watercourse (i.e. sand bags, sediment barriers, , etc.)
- Excavated material will be stockpiled outside of the high-water mark and away from the stream bank
- The final contour and gradient will provide the same as or more stability than pre-construction
- Instream work area will be isolated or work will take place in frozen conditions
- Stabilizing and rehabilitating affected areas
- Develop a Spills Management Plan; an emergency spill kit should be on site
- Management of equipment: operate (including refueling), store, and maintain all equipment and associated materials in a manner that prevents the entry of any deleterious substance to the watercourse. Any part of the equipment entering the watercourse or operating on the bank shall be free of fluid leaks and externally cleaned/degreased.

- iv. Direct and indirect impacts to vegetation from vehicular travel and borrow source extraction.

Mitigation measures:

- Travel of vehicles will be confined to existing infrastructure roads and trails to avoid disturbing vegetated areas
- Avoid travel on steep slopes when traveling into borrow sources, on creek banks to airstrip and lands next to camp water sources
- Equipment will be cleaned prior to mobilization to avoid introduction of invasive species
- Minimize areas of excavation at borrow sources to minimize damage to vegetation cover
- stockpile borrow source vegetated surface material and replace after excavating is completed
- minimize camp foot print and use existing facilities whenever possible

- v. Direct and indirect effects on mammals and habitat through temporary habitat loss, change in movement patterns

Mitigation measures:

- The Project will use previously disturbed areas associated with the weather station, including existing borrow sources.
 - The Project will follow minimum setback distances for the Northwest Territories outlined in GNWT (2015):
 - Activities will cease if Peary caribou (year-round) or muskox (April 1 to June 15) are observed with 0.5 km of the Project area
 - Domestic waste generated by personnel and camp operations will be stored and disposed of to avoid attracting wildlife.
 - Fuel will be stored in a manner to prevent attracting wildlife.
 - Work crews will be directed not to feed, harass or hunt wildlife while working on the Project.
 - An electric fence will be set up around the temporary camp if deemed necessary to deter wildlife.
 - Wildlife monitors will assess for the presence of mammals in or near the Project area during Project activities.
 - Wildlife monitors will be active 24 hours - will be on 12-hour shifts
 - EISC flight guidelines will be followed
 - Avoid aircraft wildlife overflights
 - Crews will be trained on bear awareness
- vi. Direct and indirect impacts on ground nesting birds such as increased risk of mortality and temporary habitat loss.

Mitigation measures:

- The Project will use previously disturbed areas associated with the weather station, including existing borrow sources.
 - The Project will adhere to restrictions outlined in the Migratory Bird Convention Act and the Migratory Birds Regulations (1994).
 - The Project will follow minimum setback distances for the Northwest Territories outlined in GNWT (2015):
 - Waterfowl congregating sites during migration: 3 km
 - Bird nesting sites: 0.25 km
 - Bird colonies or moulting areas: 1.1 km (year-round)
 - Flight altitude from bird staging and nesting areas: 1.5 km
 - Follow EISC flight guidelines
 - Work crews will be directed not to feed, harass or hunt wildlife while working on the Project.
 - Wildlife monitors will assess for the presence of ground nesting birds in or near the Project area during Project activities
- vii. Direct impact to document archaeological sites.

Mitigation measures:

- Archeological sites are documented and marked on site
- Field personnel will be made aware of these sites and instructed to avoid them
- Project activities are not close to these sites and will not overlap with them
- PWNHC will be informed if cultural resources are found during project activities and activities at that site will be stopped.

9. Ecological context of environmental effect (on wildlife, habitat, biodiversity):

- i. The site is located adjacent to an area identified by the Canadian Wildlife Service as a key migratory bird terrestrial habitat where the coastal lowlands are important nesting and moulting area for brant.
- ii. Important area for polar bear habitat.

10. Wildlife harvesting context of environmental effect (place, timing, etc.)

- i. Identified of an area of subsistence harvesting by the Olokhaktomiut Community Conservation Plan.

11. Likelihood of environmental effect occurring:

- i. Moderate.

12. Project addresses community concern:

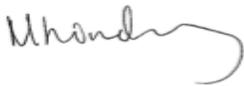
- i. No community concerns raised during the commenting period. The proponent did ensure early engagement with the communities of Sachs Harbour and Ulukhaktok to address and questions or concerns.

A copy of the decision form for this file is attached to the email notification of this decision.

Both the Decision Letter and the Decision Form for this file will be placed on the file held in the EISC Registry.

If you have any questions on the above decision, please do not hesitate to contact me directly at 1(867)777-2828, Extension 1014.

Sincerely,



Michel Lindsay
EISC Coordinator

Attachments:

- 1) EISC Decision Form

cc: EISC Distribution List

EISC Distribution List

Deniz Baykal, Contaminated Sites Program Coordinator, ECCC
 Michael Fabijan, Kavik-Stantec
 Larry Carpenter, Chair, Wildlife Management Advisory Committee (NWT)
 Jodie Maring, Wildlife Management Advisory Committee (NWT)
 Lindsay Staples, Chair, Wildlife Management Advisory Committee (NS)
 Kaitlin Wilson, Wildlife Management Advisory Committee (NS)
 Alan Kennedy, Chair, Fisheries Joint Management Committee
 Vanessa Cunningham, Fisheries Joint Management Committee
 Emily Way-Nee, Fisheries Joint Management Committee
 Vernon Amos, Chair, Inuvialuit Game Council
 Chanda Turner, Inuvialuit Game Council
 John Donihee, Chair, Environmental Impact Review Board

Lenora McLeod, Coordinator, Environmental Impact Review Board
 David Livingstone, Chair, Environmental Impact Screening Committee
 Jennifer Lam, Committee Program Manager, Joint Secretariat
 Chloe Brogan, Community-Based Monitoring Program, Joint Secretariat
 Cassandra Elliott, TLK, Joint Secretariat
 Kayla Hansen-Craik, MPA, Joint Secretariat
 Paulatuk Hunters and Trappers Committee
 Aklavik Hunters and Trappers Committee
 Inuvik Hunters and Trappers Committee
 Olokhaktomiut Hunters and Trappers Committee
 Sachs Harbour Hunters and Trappers Committee
 Tuktoyaktuk Hunters and Trappers Committee
 Mardy Semmler, Executive Director, Inuvialuit Water Board
 Bijaya Adhikari, Inuvialuit Water Board
 Duane Smith, Chair, Inuvialuit Regional Corporation
 Kate Darling, General Counsel, Inuvialuit Regional Corporation
 Charles Klengenberg, Director of Lands, Inuvialuit Land Administration
 Glenna Noksana, Inuvialuit Land Administration
 Alec Sandra Macdonald, Regulatory Specialist, GLWB
 Erika Tramm-Tizya, Transboundary Specialist, Gwich'in Lands and Resources
 Stephen Charlie, Director, Gwich'in Lands and Resources
 GNWT Environmental Assessment and Monitoring
 Nathen Richea Manager Water Regulatory, ENR, GNWT
 Aurora Research Institute
 Naomi Smethurst, Culture and Heritage, ECE, GNWT
 Lorraine Seale, Department of Lands, GNWT
 Dan Carmichael, Regional Superintendent, Department of Lands, GNWT
 Marsha Branigan, Environment and Natural Resources, GNWT
 Loretta Ransom, Environment and Natural Resources, GNWT
 Patrick Clancy, Environment and Natural Resources, GNWT
 Johnny Lennie, Manager Oil and Gas Planning, PR Division, GNWT
 Ian Butters, Manager, Oil and Gas Rights, GNWT
 Peter Clarkson, Regional Director, Department of the Executive, GNWT
 Don Craik, Superintendent, ITI, GNWT
 Lorie Fyfe, Regional Superintendent, Inuvik Region, MACA
 Veronique D'Amours-Gauthier, DFO
 Fisheries Protection Program, Fisheries and Oceans Canada
 Beaufort Sea Partnership
 Nelson Perry, Parks Canada Agency
 Joe Costa, Resource Management Officer, Parks Canada
 Eric Reed, Canadian Wildlife Service, ECCC
 Marc LePointe, Environmental Assessment and Marine Program, ECCC
 Denis Lacroix, Environmental Assessment and Marine Program, ECCC
 Mark Dahl, Senior Oceans Disposal Officer, Environment Canada
 EA North NWT
 Christy Wickenheiser, National Energy Board
 Anne-Marie Hesse, National Energy Board
 Sarah Robertson, Senior Project Officer, CANNOR
 Georgina Williston, Senior Environmental Assessment Coordinator, EC
 Sarah Chan, Manager of Environmental Affairs, Department of Environment, YTG
 Mike Sutor, North Yukon Regional Biologist, Department of Environment, YTG
 Stephanie Muckenheim, IFA Implementation and Projects Coordinator, YTG

Cameron Eckert, Special Projects Officer, YTG

Carrie Mierau, Yukon Parks Branch, YTG

Marc LePointe, Environment Canada

YESAB, Dawson Office

Colleen Parker, Western Arctic Specialist, WWF

John Kaltenstein, Marine Program Manager, Friends of the Earth