



January 24, 2020

Bijaya Adhikari
Science and Regulatory Coordinator
Inuvialuit Water Board
P.O. Box 2531
125 Mackenzie Road
Suite 302, Professional Building
Inuvik, NT X0E 0T0

**Re: INF GNWT
Water Licence Application – N5L1-1843
Gunghi Creek Culvert Replacement
Request for Review and Comments**

Dear Mr. Adhikari,

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 provides the following comment for the consideration of the Board.

Topic 1: Wildlife: NWT Listed and Pre-listed Species at Risk

Comment(s):

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:

- [Polar Bear](#) – Listed as of Feb 2014, Special Concern in the NWT
- [Grizzly Bear](#) – Listed as Threatened
- [Barren-ground Caribou](#) - Listed as Threatened
- [Boreal Caribou](#) - Listed as Threatened

Recommendation(s):

1) Although the project overlaps with the range(s) of the species listed above, ENR is of the opinion that the nature, scope, scale and/or timing of the proposed project are such that the likelihood of impacts to NWT-listed or pre-listed species listed above can be avoided or minimized if ENR's wildlife recommendations in this letter are implemented as necessary, including the application of any wildlife mitigation and monitoring measures imposed by the ILA, and the application of any wildlife mitigation and monitoring measures outlined in the Proponent's authorization, application and supporting documents.

2) For information on NWT species at risk in the project area please consult:

- <http://www.nwt-species-at-risk.ca/SpeciesAtRisk>
- <http://www.nwt-species-at-risk.ca/ToolsForDevelopers>
- [Species at Risk in the NWT - 2016 Edition](#)

The Proponent should be aware of the prohibitions that may apply to the species that occur in your area. Check the Species at Risk (NWT) Act regulations webpage (<http://www.nwt-species-at-risk.ca/ToolsForDevelopers>) to see if there are any applicable regulations or agreements with land owners that must be followed for NWT-listed or pre-listed species at risk.

3) For information and legislative requirements related to federally-listed species at risk, consult the Species at Risk Public Registry (www.sararegistry.gc.ca) or contact Environment and Climate Change Canada or the Department of Fisheries and Oceans.

- 4) Ensure that employees and contractors are aware of the species at risk that might occur in the project area. This includes species that are pre-listed or listed under the *Species at Risk (NWT) Act*, species listed under the federal *Species at Risk Act*, and species designated as at risk by COSEWIC.
- 5) If species at risk are encountered during project undertakings, the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.
- 6) Monitoring should be undertaken by the Proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, monitoring should include recording the locations and dates of any observations of species at risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the Proponent to avoid contact with or disturbance to the species, its habitat, and/or its residence.
- 7) Submit sightings of species at risk and monitoring information to ENR's Wildlife Management Information System (WMIS) and to other appropriate regulators and organizations with management responsibility for the species as may be necessary at:

<http://www.enr.gov.nt.ca/programs/wildlife-research/wildlife-management-information-services>

Further information on the WMIS can be found at:

<http://www.enr.gov.nt.ca/programs/wildlife-research/wildlife-management-information-services>

Comments and recommendations were provided by ENR technical experts in the the Wildlife Division and the Inuvik Region and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM), Environmental Stewardship and Climate Change Division.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Clancy', written in a cursive style.

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