

Reviewer Comments and Proponent Responses

Project: Willow River 467 Quarry and Access Road
Board: Gwich'in Land and Water Board
Proponent: Hamlet of Aklavik

File Number: G20Q001
Review Comments Due: March 10, 2025
Proponent Responses Due: March 17, 2025

No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
Gwich'in Tribal Council - Department of Cultural Heritage - Kristi Benson				
1		<ul style="list-style-type: none"> Archaeological sites: There are ten or more previously recorded archaeological sites within proximity to the portage portion of the road and in particular the gravel pit. Proximity to other known archaeological sites indicates an increased likelihood of buried archaeological remains. The location of the gravel pit on high land overlooking water and along a named place and trail network also indicate an increased potential for unrecorded archaeological sites. Trails and camps: There are numerous traditional and modern-use trails along the winter road and some along the portage portion of the road. There are also many camps along the winter road portion. 	If there will be any changes to the route or the pit, an archaeological assessment must be completed.	

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GNWT-ECE - PWNHC (Prince of Wales Northern Heritage Centre) - Danielle Desmarais				
1		GNWT - ECE have reviewed the extension request for project G20Q001, which is located in the general vicinity of a number of previously documented archaeological sites.	<p>Permit conditions stipulated in 2020 regarding the buffering, disturbance and/or discovery of archaeological sites [specifically section 26(1)(j)] should remain in effect for the purposes of this extension request.</p> <p>If any work is slated to take place beyond the originally approved project boundaries (whether due to changes in road routing or due to changes to the extent of the pit), an archaeological assessment will need to be completed.</p>	

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Fisheries and Oceans Canada (DFO) - Ms. Anna-Maija LaFlamme				
1		DFO has reviewed the Willow River 467 Quarry & Access Road, Permit Extension, File Number; G20Q001 in accordance with DFO's mandate and has no comments at this time.	DFO does not have any recommendations at this time.	

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Gwich'in Tribal Council - Lands and Resources - Mr. Nolan Rainville				
1	GLR comments	The Gwich'in Lands and Resources department (GLR) currently does not have any significant comments on the permit extension.	Continue to follow and comply with the terms and conditions of the GTC Authorization permit.	

		We ask that the proponent follow the existing terms and conditions outlined in previous GTC authorizations. If there is any change to the outlined work activities or changes to the quarry footprint, the proponent must contact the Director of GLR as soon as possible.	
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Environment and Climate Change Canada (ECCC) - Ms. Maja Crawley

1	Topic: Species at Risk References: Application Package – Jan13_19; Land Permit Issuance – Feb18_20	<p>Species at risk are assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) or added to Schedule 1 of the Species at Risk Act (SARA) on a regular basis. It is important for proponents to ensure they are aware of what species are present in the project area and take appropriate actions to ensure compliance with the SARA.</p> <p>The killing, harming or harassing of listed species as well as the damage and destruction of their residences is prohibited under SARA. In the territories, the prohibitions apply automatically to:</p> <ul style="list-style-type: none"> - Threatened, Endangered and Extirpated species listed on Schedule 1 of SARA on lands under the authority of the federal Minister of Environment. - Migratory Birds (as defined under the Migratory Birds Convention Act [MBCA]) everywhere they are found. <p>These prohibitions can apply elsewhere if there is an order put in place.</p> <p>The destruction of critical habitat of species listed under Schedule 1 of SARA is prohibited on all lands identified within the critical habitat protection order for the species.</p>	As species are assessed and listed on a regular basis, ECCC recommends the Proponent: a. Consult the Species at Risk registry (https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&nav=24F7211B-1) to obtain the most current information for their operations. b. Consult the Government of Northwest Territories to identify appropriate mitigation and/or monitoring measures to avoid and lessen project effects to species under their management responsibility. For more information on Species at Risk in the Northwest Territories, please refer to the booklet 'Species at Risk in the Northwest Territories 2024 edition' (https://nwt-speciesatrisk.ca/sites/species/files/guide-to-species-at-risk-in-the-nwt-2024-edition.pdf)	
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2	Topic: Species at Risk - SAR Missing and/or Effects and Measures Missing Reference: Application Package – Jan13_19; Land Permit Issuance – Feb18_20	<p>Section 79 of SARA requires the assessor and decision body to ensure that where a project is likely to affect a listed species or its critical habitat, all adverse effects of the project are identified and considered in the assessment of the project. Appropriate measures must be taken to avoid or lessen those effects and include monitoring. Measures should be consistent with applicable recovery documents.</p> <p>Section 79 applies to all listed species on Schedule 1 of SARA including those listed as Special Concern, Threatened, Endangered and Extirpated. As a matter of best practice, COSEWIC-assessed species should be assessed similarly to those listed under SARA.</p> <p>The Proponent has not identified any species at risk that are likely to be present in the Project area</p>	<p>ECCC recommends the Proponent:</p> <ul style="list-style-type: none"> a. Identify adverse effects of the Project on the species at risk likely to be affected and their critical habitat; b. Ensure that measures are taken to avoid or lessen those adverse effects and monitor them to inform adaptive management. <p>If the Proponent encounters species at risk, the primary mitigation measure should be avoidance. ECCC recommends:</p> <ul style="list-style-type: none"> c. Mitigation and monitoring measures be consistent with applicable species at risk Recovery Strategies and Action Plans or Management Plans. d. At a minimum, monitoring should include recording timing and 	
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		<p>and their status. The Proponent has not identified any adverse effects of the Project on the species at risk.</p> <p>Please refer to the attached PDF. Table I in Appendix I contains a list of the species that are likely to be encountered in the Project area that have been assessed as at risk by COSEWIC or listed on Schedule 1 of SARA.</p> <p>The Project may have adverse effects on listed species including: direct habitat loss, impacts due to noise, dust or other sensory disturbances, wildlife injury or mortality, and wildlife attraction.</p>	<p>location of observed species at risk, their behavior when encountered, and actions taken by the Proponent to avoid disturbance to the species, its habitat, and/or its residence.</p> <p>e. The Proponent submit monitoring reports to the appropriate regulators and organizations with management responsibility for that species.</p>	
3	<p>Topic: Project activities in Bank Swallow habitat within its range. References: Application Package - Jan13_19; Land Permit Issuance - Feb18_20</p>	<p>The Project falls within the breeding range of the Bank Swallow and may affect important habitat features for the species. Project activities include the operation of quarries/pits. The Proponent has planned all stockpiles and slopes to be kept at a 2:1 ratio. The Bank Swallow, listed as Threatened under SARA, is a colonial species that nests in burrows dug into near vertical faces of exposed sand or soil. They also nest in aggregate pits, construction and/or mine sites on stockpiles of quarry materials, overburden, and exposed soil banks. The Bank Swallow exhibits high nest site fidelity and will reuse nesting sites and burrows. The residence description for the Bank Swallow is available on the SARA registry here: https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/residence-descriptions/bank-swallow.html. Excavation, construction activities and application of erosion control measures in these areas during the nesting period can inadvertently kill or disturb Bank Swallows, destroy their residence or critical habitat, and may also affect other migratory bird species.</p>	<p>ECCC recommends the Proponent:</p> <p>a. Take precautions to avoid disturbance to nesting Bank Swallows;</p> <p>b. Ensure staff and contractors are made aware of potential presence and conservation status of the Bank Swallow;</p> <p>c. Continue to prevent Bank Swallows from nesting in areas where operations will be carried out during the breeding season by contouring piles to have slopes of less than 70 degrees prior to their arrival in the spring and by creating suitable nesting habitat in inactive areas with vertical faces of at least 70 degrees; and</p> <p>d. Take particular care in selecting erosion prevention and control measures and implement those measures prior to the nesting season. Proponents are encouraged to consult the Bank Swallow Pamphlet (https://publications.gc.ca/collections/collection_2017/eccc/CW66-522-2016-eng.pdf) and contact ECCC (cwsnorth-scfjord@ec.gc.ca) for further advice.</p>	
4	<p>Topic: Proximity to a Terrestrial Key Habitat Area - Disturbance to migratory bird habitat. References: Application Package Jan13_19; Key Migratory Bird Terrestrial Habitat Sites in the Northwest Territories and Nunavut - Canadian Wildlife Service</p>	<p>The project is within 3km of Terrestrial Key Habitat Site 12 - Mackenzie River Delta. The delta is an important fall staging area for shorebirds during migration and a significant duck summer breeding area.</p> <p>Sensory disturbance from project activities and vehicle traffic may have greater adverse effects in this area that is known to have high bird densities.</p> <p>The Proponent has not identified mitigation measures for sensory disturbance based on the proximity to this Terrestrial Key Habitat in the project proposal.</p>	<p>ECCC recommends Proponents take extra precautions to minimize noise disturbance to shorebirds and waterfowl, particularly during periods of high use such as summer breeding and fall staging. ECCC recommends the Proponent carry out all phases of the project in a manner that reduces risk to migratory birds and to avoid harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests and eggs. Proponents are encouraged to follow the guidance on ECCC's Guidelines to Avoid Harm to Migratory Birds (https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html).</p>	

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Nihtat Gwich'in Council - DGO - Kelly McLeod				

1		Who is the applicant	<p>a. Is the applicant applying on behalf of a third party</p> <p>b. What is the gravel being used for</p> <p>c. Where is the gravel being used</p> <p>d. Who will own the gravel</p>	
2		Safety Manual	<p>Noted no Safety Manual supplied in application</p> <p>i. In the event of an emergency what happens</p> <p>ii. Are safe work practices/procedures in place</p> <p>iii. Who are the safety monitors</p>	
3		Spill Response Plan	<p>a. Who is the owner of the plan</p> <p>b. What is the updated plan as the one in the original permit seems dated.</p>	
4		Updated gravel aggregate quantity	<p>a. Original volume was 10,000m³</p> <p>i. What is the updated amount</p> <p>ii. Would a new permit be required assuming the original amount was excavated.</p> <p>iii. Is this an amendment to take more or extension because the original amount was not excavated</p>	
5		Gwich'in Economy	<p>How is the applicant supporting the Gwich'in Economy</p> <p>i. Noted in application no Gwich'in Business are being used</p> <p>ii. Gwich'in Economy is a commitment of the Federal Government and Territorial Government by extension a Hamlet or Municipality</p>	
6		Harvesting	<p>a. How is the excavation and transportation of material affecting harvesters in the area</p> <p>b. Are mitigations being put in place</p> <p>c. Is compensation being put in place in the event of disrupted harvesting</p>	
7		Hazardous Material	<p>a. What Hazardous Materials will be used</p> <p>b. How are they being stored</p> <p>c. What is the response time for clean-up in the event of an incident</p> <p>d. What Safe Work Plan and Procedures are in place</p> <p>e. Who is the environmental monitor for the applicant</p> <p>i. Are there any secondary environmental monitors</p> <p>f. Who is the wildlife monitor for the applicant</p>	
8		Spill Contingency Planning and Risk Assessment	<p>a. As noted in application, any drops spills will be disposed of back in Aklavik</p> <p>i. Where in Aklavik</p> <p>ii. Is this an approved facility to accept contaminated waste/spills</p> <p>b. Where is the designated area for contaminated waste as noted in the application</p>	
9		Inspection Reports	<p>Noted 2 inspection reports March 2020 and February 2020</p> <p>i. Application Period February 18th, 2020, to February 17, 2025</p> <p>1. Has any work been completed with the permit outside of Feb/March of 2020</p> <p>2. Are there inspection reports completed for this work</p>	
10		Where is the Gravel to be excavated	<p>a. Is it staying within the GSA</p>	

	ted going	b. Is it leaving the GSA	
11	Comment Letter	n/a	