

Reviewer Comments and Proponent Responses

Project: Km 251 Quarry - Dempster Highway # 8
Board: Gwich'in Land and Water Board
Organization: Bob's Welding Ltd.

No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
Gwich'in Tribal Council - Department of Cultural Heritage - Kristi Benson				
1		The Department accepts the findings of the AIA, however, archaeological sites may still exist.	<p>The application indicates that no new areas will be opened up, although the circle on the map seems to cover areas with vegetation, i.e. which might be new areas? If so, an archaeological monitor may be needed during overburden removal, based on direction from the Territorial Archaeology Office.</p> <p>As with any application, if archaeological or heritage materials are encountered during the development within the Gwich'in Settlement Area, all work must cease immediately as required by law, and the DCH and the Prince of Wales Northern Heritage Centre in Yellowknife must then be contacted.</p>	

No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
Environment and Climate Change Canada (ECCC) - Anna Graham				
1	Cover Letter	See attachment	See attachment	
2	Topic: Hazardous Substances Storage	The application is missing information regarding hazardous substances to be present on site ("to be determined" according to Spill Contingency Plan). No fuels are to be stored on site (fuel is brought in on vehicles as needed).	ECCC recommends the Proponent confirm the hazardous substances on site, if any, and storage arrangements.	
3	Topic: Dust Management	The application does not indicate any effects to vegetation or wildlife from dust, nor any corresponding mitigation.	ECCC recommends the proponent comment on dust generation and management practices, and whether any effects to wildlife or vegetation may be expected, including any corresponding mitigation measures.	
4	Topic: Species at Risk	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. 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: · 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)	<p>As species are assessed and listed on a regular basis, ECCC recommends the Proponent: a) Consult the Species at Risk registry to obtain the most current information for their operations (the list provided by ECCC for the original Land Use Permit application in 2011 is out of date; an updated table is provided in Attachment 2) b) Consult the Government of the Northwest Territories to identify appropriate mitigation and/or monitoring measures to avoid and lessen project effects to species under their management responsibility.</p> <p>For more information on Species at Risk in the Northwest Territories, please refer to the booklet 'S</p>	

		ned under the Migratory Birds Convention Act [MBCA]) everywhere they are found. These prohibitions can apply elsewhere if there is an order put in place. 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.	pecies at Risk in the Northwest Territories (2020 edition)'	
5	Topic: Project Activities Within Migratory Bird Habitat	The Migratory Birds Regulations (MBR) prohibit the disturbance or destruction of migratory birds and their nests or eggs. Migratory birds, their nests and their eggs can be inadvertently harmed, killed, disturbed or destroyed because of many activities including, but not limited to, clearing of trees and other vegetation, draining or flooding land, or using fishing gear. Harming of individual birds, nests or eggs, can have long-term consequences for migratory bird populations in Canada, especially through the cumulative effects of many different incidents.	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 should not conduct potentially destructive or disruptive activities at key locations or during key periods to avoid negative impacts to migratory birds. In this regard, the Proponent should take into account ECCC's Guidelines to Reduce Risk to Migratory Birds (https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html) and visit Fact Sheet Nest Protection Under the Migratory Birds Regulations, 2022 (https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/fact-sheet-nest-protection-under-mbr-2022.html), and Frequently Asked Question, Migratory Birds Regulations, 2022 (https://www.canada.ca/en/environment-climate-change/services/migratory-bird-permits/faq-migratory-birds-regulations-2022.html) for more information on the amended Migratory Bird Regulations and updates to nest protections. ECCC recommends the Proponent contact the Canadian Wildlife Service (cwsnorth-scfnord@ec.gc.ca) in instances/incidents involving interactions and the potential disturbance of individuals or nests and any mortality events of these species.	

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GNWT-ENR - EAM (Environmental Assessment and Monitoring) - Environmental Regulatory Analyst				
1	ECC No Comment Cover Letter	Please see attached.	N/A	

No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
GNWT-ECE - PWNHC (Prince of Wales Northern Heritage Centre) - Naomi Smethurst				
1	Protection of Historical, Archaeological, and Burial Sites	An AIA of the proposed quarry expansion area was conducted in 2021. While the project footprint covered under this AIA does not exactly match the area shown in the LUP application figure, it covers the majority of the proposed quarry area. The discrepancy between the two footprints amounts to a very small area of previously undisturbed terrain which has not been subject to an AIA.	The 2021 AIA covers the majority of the proposed quarry footprint, and we do not believe further archaeological studies are required at this time. Any future expansion of the quarry footprint should be subject for review by GNWT ECE, however.	

Environmental Protection Operations Directorate
Prairie & Northern Region
5019 52nd Street, 4th Floor
P.O. Box 2310
Yellowknife, NT X1A 2P7

ECCC File: 5300 000 045/001
GLWB File: G23Q001



April 18, 2023

via online review system

AlecSandra Macdonald
Gwich'in Land and Water Board
Alex Moses-Greenland Building | 105 Veterans Way
P.O. Box 2018
Inuvik, NT
X0E 0T0

Dear AlecSandra Macdonald:

RE: G23Q001– Bob's Welding – Km 251 Quarry-Dempster Highway # 8 – Type A Land Use Permit Renewal

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Gwich'in Land and Water Board (GLWB) regarding the above mentioned Land Use Permit Renewal.

ECCC provides expert information and knowledge to project assessments on subjects within the department's mandate, including climate change, air quality, water quality, biodiversity, environmental preparedness and emergencies. This work includes reviewing proponent characterization of environmental effects and mitigation measures, and providing advice to decision makers on activities needed to mitigate these environmental effects. Any comments received from ECCC in this context does not relieve the proponent of its obligations to respect all applicable federal legislation.

If you need more information, please contact Anna Graham at Anna.Graham@ec.gc.ca.

Sincerely,

Anna Graham
Environmental Assessment Officer

Attachment(s): ECCC Comments Excel Sheet
Species at Risk Table

cc: Melissa Pinto, Acting Head, Environmental Assessment North (NT and NU)



The Table below lists species that may be encountered in the Project area that have been designated as at risk by COSEWIC as well as their current listing on Schedule 1 of SARA. This list may not include all species identified as at risk by the territorial government. As species are assessed and listed on a regular basis, consult the [Species at Risk registry](#) to obtain the most current information.

Table 1: Terrestrial Species at Risk potentially interacting with project components (range overlaps).

Terrestrial Species at Risk ¹	Scientific Name	COSEWIC Designation	SARA Status	Primary Management Responsibility ²	Available Recovery Documents
Bank Swallow	<i>Riparia riparia</i>	Threatened (2013)	Threatened (2017)	Environment and Climate Change Canada	Recovery Strategy Residence Description Critical Habitat Description
Barn Swallow	<i>Hirundo rustica</i>	Special Concern (2021)	Threatened (2017)	Environment and Climate Change Canada	Action Plan Residence Description
Caribou (Boreal population)	<i>Rangifer tarandus</i>	Threatened (2014)	Threatened (2003)	Government of Northwest Territories	Recovery Strategy Critical Habitat Protection Order
Eskimo Curlew	<i>Numenius borealis</i>	Endangered (2009)	Endangered (2003)	Environment and Climate Change Canada	Recovery Strategy Residence Description
Grizzly Bear (Western population)	<i>Ursus arctos</i>	Special Concern (2012)	Special Concern (2018)	Government of Northwest Territories	
Gypsy Cuckoo Bumble Bee	<i>Bombus bohemicus</i>	Endangered (2014)	Endangered (2018)	Government of Northwest Territories	Recovery Strategy*
Harris's Sparrow	<i>Zonotrichia querula</i>	Special Concern (2017)	Special Concern (2023)	Environment and Climate Change Canada	
Horned Grebe (Western population)	<i>Podiceps auritus</i>	Special Concern (2009)	Special Concern (2017)	Environment and Climate Change Canada	Management Plan

Terrestrial Species at Risk ¹	Scientific Name	COSEWIC Designation	SARA Status	Primary Management Responsibility ²	Available Recovery Documents
Hudsonian Godwit	<i>Limasa haemastica</i>	Threatened (2019)	No Status (Under Consideration for Addition)	Environment and Climate Change Canada	
Red-necked Phalarope	<i>Phalaropus lobatus</i>	Special Concern (2014)	Special Concern (2019)	Environment and Climate Change Canada	Management Plan*
Rusty Blackbird	<i>Euphagus carolinus</i>	Special Concern (2017)	Special Concern (2009)	Government of Northwest Territories	Management Plan
Short-eared Owl	<i>Asio flammeus</i>	Threatened (2021)	Special Concern (2012)	Government of Northwest Territories	Management Plan
Suckley's Cuckoo Bumble Bee	<i>Bombus suckleyi</i>	Threatened (2019)	No Status (Under Consideration for Addition)	Government of Northwest Territories	
Transverse Lady Beetle	<i>Coccinella transversoguttata</i>	Special Concern (2016)	Special Concern (2021)	Government of Northwest Territories	
Wolverine	<i>Gulo gulo</i>	Special Concern (2014)	Special Concern (2018)	Government of Northwest Territories	
Notes: ¹ Fisheries and Oceans Canada (DFO) has responsibility for aquatic species (not listed here). ² ECCC has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the MBCA. Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of NWT. Populations that exist in National Parks are managed under the authority of the Parks Canada Agency (PCA). * Denotes recovery documents that are in the process of being finalized but where a draft/proposed version is available for use					



April 18, 2023

AlecSandra Macdonald
Regulatory Specialist
Gwich'in Land and Water Board
105 Veterans Way, P.O. Box 2018
Inuvik, NT. X0E 0T0

Dear AlecSandra Macdonald,

RE: Bobs Welding Km 251 Quarry Dempster Highway # 8 (G23Q001)

The Department of Environment and Climate Change Government of the Northwest Territories has no comments or recommendations for the consideration of the Gwich'in Land and Water Board regarding Km 251 Quarry - Dempster Highway # 8 Bobs Welding Type A Permit Renewal Application.

Please contact GNWT_EA@gov.nt.ca with any general questions or concerns.

Sincerely,

Sjensen

Shakita Jensen
Regulatory Analyst
Environment and Climate Change