



Gwich'in Renewable Resources Board

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May 9, 2014

Helga Harlander
Land and Water Technician
Gwich'in Land and Water Board
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Re: Land Use Permit application_ G14E002_ Department of Transportation_ quarry operations and winter road at Arctic Red River

The Gwich'in Renewable Resources Board (GRRB) was established under the Gwich'in Comprehensive Land Claim Agreement to be the main instrument for wildlife, fish and forest management in the Gwich'in Settlement Area (GSA). The staff of the GRRB have reviewed Land Use Permit application **G14E002** and offer the following comments and recommendations:

- Proponent is reminded to adhere to the regulations concerning fish and wildlife according to the following Acts and legal documents:
 - Migratory Birds Convention Act
 - NWT Wildlife Act
 - Species at Risk Acts (federal and NWT)
 - Gwich'in Land use Plan
 - Fisheries Act
- The proponent shall ensure that any chemicals, fuel or wastes associated with the proposed project do not enter waters frequented by fish and to report all spills regardless of product and amount.
- The proponent shall suspend activities temporarily if caribou, moose, sheep, grizzly bear and/or muskoxen are spotted within 500m of any work site and to resume once the animal(s) have left the area.
- Species at risk that may be encountered in these areas include the Peregrine Falcon (*Falco peregrines anatum*), Woodland Caribou (Boreal population_ *Rangifer tarandus caribou*) and Bank Swallow (*Riparia riparia*).
 - Bank swallows, their nests, populations and individuals are protected under the Migratory Birds Convention Act, 1994:
 - Bank swallows have been assessed as 'Threatened' by COSEWIC, are being considered under the federal Species at Risk Act and the GRRB has approved this listing. They will likely be listed within the next 5 years, within the length of this application. Thus, the proponent should, at minimum, incorporate recommendations made within the Migratory Birds Conventions Act guidance document for aggregate producers available on-line:
https://www.ossqa.com/multimedia/38/fs_bank_swallows-ossqa.pdf
 - Bank swallows are known to nest in quarries. Therefore, GRRB staff recommend that aggregate pits should be examined for Bank Swallow colonies, stockpiling of materials prior to breeding season should be done (as recommended by the guidance document) and a Bank Swallow Contingency plan also be submitted.

The GRRB also supports the recommendations submitted by the Tetlit and Gwich'ya Renewable Resources Councils and the Gwich'in Social and Cultural Institute (GSCI), and acknowledge that the proponent has revised application submissions in the past demonstrating that they are acting on previous recommendations or comments received.

If you have further questions concerning this application, do not hesitate to contact me.

Janet Boxwell

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