



June 12, 2019

AlecSandra MacDonald  
Land and Water Technician  
Gwich'in Land and Water Board  
Box 2018  
Inuvik, NT  
X0E 0T0

Dear Ms. MacDonald,

**Re: Bob's Welding Ltd.  
Land Use Permit Application – G19Q006  
Land Use Permit Application – G19Q007  
Land Use Permit Application – G19Q008  
Quarries and Associated Activities  
Request for Review and Comments**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the applications 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 comments and recommendations for the consideration of the Board.

### **Topic 1: Industrial and Solid, Liquid or Sewage Waste Disposal**

#### **Comment(s):**

If the Proponents Waste Management Plan or methods of waste disposal indicate that project waste, or industrial waste, will be transported to community infrastructure for disposal, the Proponent should not assume they may deposit industrial wastes, generated outside of community boundaries, in Northwest Territories community Solid and Liquid Waste Disposal Facilities.

#### **Recommendation(s):**

1) Should the Proponent intend to deposit waste in an NWT community Solid and

Liquid Waste Disposal Facility, ENR requests that the Proponent demonstrate in the Waste Management Plan, or to the Board, that the receiving communities' Solid and Liquid Waste Disposal Facility holds a Water Licence that authorizes the disposal of any industrial waste streams originating from outside municipal boundaries. The Proponent should also demonstrate to the Board that the community has been consulted, and has consented in writing, regarding the use of its infrastructure for disposal of the waste streams and quantities in question, and the disposal of such wastes will not contravene the Waters Act or the *Environmental Protection Act* and related Regulations and Guidelines.

## **Topic 2: Open Burning**

### **Comment(s):**

The following recommendations apply to proponents who are using open burning as a disposal option.

### **Recommendation(s):**

- 1) If open burning will be utilized during project activities, only those waste streams identified in the *Municipal Solid Wastes Suitable for Open Burning* document located on the GNWT ENR website may be open burned without the use of an approved incinerator. The document can be found at the following site.

[http://www.enr.gov.nt.ca/sites/enr/files/guidelines/solid\\_wastes\\_suitable\\_open\\_burning.pdf](http://www.enr.gov.nt.ca/sites/enr/files/guidelines/solid_wastes_suitable_open_burning.pdf)

## **Topic 3: Hazardous Waste Management**

### **Comment(s):**

All Proponents that generate hazardous wastes must be registered as a generator of hazardous waste in the NWT.

The Guideline for the General Management of Hazardous Waste in the NWT defines hazardous waste and outlines the roles and responsibilities of generators, carriers, and receivers of hazardous waste in the NWT. The ENR, Environment Division (ED) registers generators, carriers, receivers, and tracks the disposal of hazardous waste generated in the NWT to registered receiving facilities on hazardous waste movement documents (manifest). The definition of hazardous waste includes all waste materials that are 'dangerous goods' according to the Transportation of Dangerous Goods Regulations, and any additional waste of special concern that the ED has determined hazardous until proven otherwise, including but not limited to:

- a) incinerator waste and/or residuals (including bottom ash and fly ash);

- b) any liquid or solid wastes contaminated with refined petroleum products;
- c) bilge wastes;
- d) vehicle or vessel servicing wastes
- e) drilling wastes;
- f) produced fluids (Glycol / Hydrocarbon / Inorganic Mixtures);
- g) tailings; and
- h) any hydrocarbon, lead, mercury or other forms of contaminated soils.

The Guideline for the General Management of Hazardous Waste in the NWT and the Transportation of Dangerous Good Regulations may be found at the following sites:

[http://www.enr.gov.nt.ca/sites/enr/files/resources/128-hazardous\\_waste-interactive\\_web.pdf](http://www.enr.gov.nt.ca/sites/enr/files/resources/128-hazardous_waste-interactive_web.pdf)

<http://www.tc.gc.ca/eng/tdg/clear-menu-497.htm>

### **Recommendation(s):**

- 1) If the Proponent is using or generating hazardous waste, they must register as a generator of hazardous waste in the NWT and track the disposal of hazardous waste from the site activities to registered receivers on hazardous waste movement documents provided by ENR. Please contact the Environment Division, ENR to register or for more information contact Mr. Lee Ross, Hazardous Materials Management Specialist, Environment Division by email ([Lee.Ross@gov.nt.ca](mailto:Lee.Ross@gov.nt.ca)) or by phone (867) 767-9236 extension 53187.

### **Topic 4: Fuel Storage and Spill Contingency Planning and Reporting**

#### **Comment(s):**

ENR acknowledges the proponent's Spill Contingency Plan.

In addition, the Proponent should also follow best practices for fuel storage and spill containment during project activities which may include the following recommendations.

#### **Recommendation(s):**

- 1) To assist in spill contingency planning, information is provided in EPA *Spill Contingency Planning and Reporting Regulations* found here:

<https://www.justice.gov.nt.ca/en/files/legislation/environmental-protection/environmental-protection.r2.pdf>

If clarification or further information is needed please contact the Environment Division, ENR directly to aid in the development of the Plan

- 2) In accordance with the *Spill Contingency Planning and Reporting Regulations Section 10*, all spills in accordance with Schedule B must be reported immediately to the 24-hour Spill Report Line (867) 920-8130.
- 3) With respect to the *Environmental Protection Act Section 5 (1b)* all spills, regardless of amount, must be cleaned up, and contaminated materials disposed of at an approved facility, or in an approved manner. Additionally, as indicated in *Section 5(1c)* all reasonable efforts must be made to notify any parties affected or potentially affected by the spill.
- 4) Fuel storage areas should be greater than 100m distance from the ordinary high water mark of a water body and not located in a drainage channel.
- 5) All fuel or storage vessels containing hazardous substances left for extended periods of time (including overnight in vehicles), should be stationed in an area that contains sufficient secondary containment (i.e. Drip pans, lined bermed areas, double walled enviro-tanks etc.).
- 6) It is recommended spill kits be provided. Personnel should be trained to ensure that in the event of a spill it is contained and remediated appropriately to industry-accepted best practices and regulatory approval. In case refuelling takes place near water, in water spill planning should be considered to prevent inadvertent releases.
- 7) ENR recommends, for the operator's convenience and increased environmental protection, that all heavy equipment and refuelling vehicles carry portable spill kits that include items such as absorbent pads, containment booms, and spill pool catchment receptacles. Readily available and fully stocked spill kits can effectively mitigate potential spills.

## **Topic 5: 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:

- [Boreal Caribou](#) - Threatened
- [Grizzly Bear](#) - Special Concern
- [Barren-ground Caribou](#) - Threatened
- [Polar Bear](#) - Special Concern

#### **Recommendation(s):**

- 1) Although the project overlaps with the range(s) of the species listed above, ENR is of the opinion that the scope, areal extent, scale and/or timing of the proposed project are such that the likelihood of impacts to NWT-listed or pre-listed species at risk is minimal if appropriate mitigation measures are applied.

#### **Topic 6: Cumulative Effects Tracking**

##### **Comment(s):**

Keeping track of the disturbance footprint of development activities is an important component of tracking and informing the management of cumulative effects on wildlife and wildlife habitat.

The consistent collection and posting of spatial data by Land and Water Boards from project proponents would assist greatly in the mapping of land and water disturbances in the territory. This is a key piece in the understanding of cumulative effects. ENR-NWT Cumulative Impact Monitoring Program currently populates a human disturbance data layer, available as part of the 'Inventory of Landscape Change', that is derived from satellite imagery and interpretation of public registry documents. It is a cumbersome process that could be improved by submission to the public registry of standardized spatial data from all permit holders that create a physical footprint on the land.

**Recommendation(s):**

- 1) The Proponent should submit the bounding coordinates or geospatial data for the proposed project footprint and for the completed project footprint to the Land and Water Board for placement on the public registry. The Mackenzie Valley Land and Water Board's "*Standards for Geographic Information Systems (GIS) Submissions*" should be followed when submitting spatial data.

**Topic 7: Wildlife Abodes****Comment(s):**

Subject to sub-section 51(2) of the Wildlife Act, it is illegal to break into, destroy, or damage a den, beaver dam or lodge, muskrat push-up or hibernaculum unless you have an Aboriginal or treaty right or a Permit to do so.

Protection of dens, beaver lodges, muskrat push-ups, and hibernacula is essential to ensuring reproductive success and survival of both adults and young.

**Recommendation(s):**

- 1) The Proponent should conduct pre-activity surveys within 800m of the project footprint to identify active bear dens if project activities will occur between September 30 and March 30. Surveys should be conducted in the fall to detect freshly dug dens.
- 2) If an active bear den is detected, or suspected, the Proponent should implement and maintain an 800 m exclusion zone until the bear emerges in spring.
- 3) If a bear den and exclusion zone would result in the halt of part or the entire program, the Proponent should contact ENR to discuss alternative mitigation options. The location of active bear dens should be kept confidential between the developer and ENR until after emergence in the spring.
- 4) It is recommended that, if encountered, beaver lodges, muskrat push-ups, and hibernacula are not disturbed or damaged.

**Topic 8: Wildlife Attractants and Waste Management****Comment(s):**

Subject to sub-section 66(1) of the *Wildlife Act* no person shall store food, waste, or other substances in a manner that may attract big game or other prescribed wildlife and put people, domestic animals, or wildlife in danger.

Subject to sub-section 65(1) of the *Wildlife Act*, it is illegal to intentionally feed big game, furbearers or other prescribed wildlife. Schedule A – Part 2 of the *Wildlife General Regulations* sets out the species prescribed as fur-bearers.

**Recommendation(s):**

- 1) The Proponent should utilize food and garbage handling and storage procedures that will minimize the attraction of wildlife.
- 2) The Proponent should store all food, waste, washed recyclables and debris that may attract wildlife within sealed animal proof containers until final disposal.
- 3) The Proponent should ensure that sealed animal proof containers are cleaned once emptied to minimize the attraction of wildlife.
- 4) The Proponent should ensure that all grey water (dishwater, showers, laundry, etc.) and black water (sewage) are treated and disposed of in a manner that will minimize the attraction of wildlife.
- 5) The Proponent should remove all waste petroleum products including used oil filters, rags, scrap metal, discarded machinery, parts, drums, barrels, or plastics to an approved waste disposal facility.

**Comments and Recommendations Directed to the Proponent**

The following comments are directed to the applicant of the Land Use Permit and are provided based on ENR's 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*. The following comments and recommendations are for the information, consideration, and appropriate action of the Proponent and as they are applicable to project activities.

**Legislative and Regulatory Requirements**

**Topic 1: Forest Management**

**Recommendation(s):**

1. In order to comply with the *Forest Protection Act* (Sections 10 and 19(1)), the Proponent should adhere to the *Forest Fire Prevention and Suppression Guidelines*. The intent of the Guidelines is threefold. First, industrial operations must be conducted so that they do not contribute to the fire load. Second, industrial operations must be able to control and extinguish any fires that occur as a result of their operations. Finally, industrial operations must be able to

respond to wildfires that may affect human life and other property as a result of their operations. The guidelines may be accessed at the following website:

[http://www.enr.gov.nt.ca/sites/enr/files/industrial\\_guidelines\\_forest\\_fire\\_prevention\\_suppression.pdf](http://www.enr.gov.nt.ca/sites/enr/files/industrial_guidelines_forest_fire_prevention_suppression.pdf)

2. The *Forest Management Act* and Regulations prohibits anyone from cutting, using or transporting timber, or damaging standing timber unless:
  - Authorized with a Timber Permit;
  - Authorized by license; or
  - Exempted from holding a Permit or license.

The Proponent is requested to contact the local/regional ENR office for further information on obtaining a Forest Management Authorization, if required.

3. If the Proponent plans to burn brush or other materials during the official fire season (May 01 – September 30), they will require a Permit to Burn from ENR, as per the *Forest Protection Act* (Section 10(1) and 21).
4. The Proponent should be aware of Part 1 Clause 18 of the *Exemption List Regulations* under the *Mackenzie Valley Resource Management Act* in which a burn authorized under a Permit to Burn is exempt from Preliminary Screening if it is not greater than an area of 25 m<sup>2</sup>.
5. If the site brush and tree cover is not merchantable then it should be piled up accordingly (and not mixed with soil) so that it can be burned or spread out at a later date. If merchantable wood is involved, either merchantable firewood or saw timber, it should be cleanly set to one side of the operation and made available for recovery. The Proponent should contact the local ENR office to determine what forest management authorization will be required, if any.

## **Topic 2: Wildlife Abodes**

### **Comment(s):**

Subject to sub-section 51(2) of the *Wildlife Act*, it is illegal to break into, destroy or damage a den, beaver dam or lodge, muskrat push-up or hibernaculum unless you have an Aboriginal or treaty right or a Permit to do so.

Protection of dens, beaver lodges, muskrat push-ups, and hibernacula is essential to ensuring reproductive success and survival of both adults and young.



### **Recommendation(s):**

- 1) Contact ENR prior to start-up of project activities to determine if there are any known dens, push-ups, lodges, beaver dams or hibernacula within the project area.
- 2) Prior to start-up of project activities, conduct surveys of lakes or other water bodies proposed to be used for water withdrawal or winter access roads to determine the presence of muskrat push-ups, beaver lodges or beaver dams. If one or more of these features is found contact ENR to discuss mitigation options.
- 3) Further guidance on different setback distances and timing windows for wildlife abodes are provided in Table 6 of the Northern Land Use Guidelines: Northwest Territories Seismic Operations Vol.9 (a) at:

[http://www.lands.gov.nt.ca/sites/lands/files/resources/nlug\\_seismic\\_2015\\_english\\_-\\_16\\_sept\\_2015.pdf](http://www.lands.gov.nt.ca/sites/lands/files/resources/nlug_seismic_2015_english_-_16_sept_2015.pdf)

Proponents should also check whether there are setback distances and timing restrictions for wildlife abodes within the regional land use plan for their project area.

### **Topic 3: Advice for NWT Listed and Pre-listed Species at Risk**

#### **Comment(s):**

Sections 76 and 77 of the *Species at Risk (NWT) Act* requires 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:

- [Boreal Caribou](#) - Threatened
- [Grizzly Bear](#) - Special Concern
- [Barren-ground Caribou](#) - Threatened
- [Polar Bear](#) - Special Concern

### **Recommendation(s):**

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

- <http://www.nwtspeciesatrisk.ca/SpeciesAtRisk>
- <http://www.nwtspeciesatrisk.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.nwtspeciesatrisk.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.

- 2) For information and legislative requirements related to federally-listed species at risk, consult the Species at Risk Public Registry ([www.sararegistry.gc.ca](http://www.sararegistry.gc.ca)) or contact Environment and Climate Change Canada or the Department of Fisheries and Oceans.
- 3) 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.
- 4) 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.
- 5) 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.

- 6) 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>

#### **Topic 4: Cumulative Effects Tracking**

##### **Comment(s):**

Keeping track of the disturbance footprint of development activities is an important component of tracking and informing the management of cumulative effects on wildlife and wildlife habitat.

The consistent collection and posting of spatial data by Land and Water Boards from project proponents would assist greatly in the mapping of land and water disturbances in the territory. This is a key piece in the understanding of cumulative effects. ENR-NWT Cumulative Impact Monitoring Program currently populates a human disturbance data layer, available as part of the 'Inventory of Landscape Change', that is derived from satellite imagery and interpretation of public registry documents. It is a cumbersome process that could be improved by submission to the public registry of standardized spatial data from all permit holders that create a physical footprint on the land.

##### **Recommendation(s):**

- 1) The Proponent should submit the bounding coordinates, or geospatial data for the proposed project footprint and for the completed project footprint to the Land and Water Board for placement on the public registry. The MVLWB's "Standards for Geographic Information Systems (GIS) Submissions" should be followed when submitting spatial data.

## Topic 5: Nesting Birds

### Comment(s):

- Conducting activities involving vegetation clearing, ground disturbance or demolition of buildings and other structures during the nesting season increases the risk of contravening paragraph 51(1)(a) of the *Wildlife Act* which prohibits destroying, disturbing, or taking the eggs of a bird or a nest when it is occupied by a bird or its eggs, or destroying, disturbing, or taking the nest of a prescribed bird at any time.
- Protection of nests is essential to ensuring reproductive success and survival of both adults and young.
- The Canadian Wildlife Service of Environment and Climate Change Canada (ECCC) is the responsible management authority for migratory birds protected under the Migratory Birds Convention Act, 1994.

<https://ec.gc.ca/nature/default.asp?lang=En&n=496E2702-1>

- GNWT is responsible for the management of non-migratory birds including raptors.
- Critical breeding periods for NWT raptors can start as early as the 1<sup>st</sup> week of April and last up until 3<sup>rd</sup> week of September, depending on the species and location.

### Recommendation(s):

- 1) Follow ECCC's Avoidance Guidelines related to incidental take of migratory birds in Canada available at:

<http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=AB36A082-1>)

- 2) Consult ECCC's *General Nesting Periods of Migratory Birds in Canada* for current information on general nesting periods of federally protected migratory birds that occur within the NWT. Available at:

<http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=4F39A78F-1>

- 3) Contact ENR, Wildlife Division for information on critical breeding periods for raptors and/or known raptor nest sites in the project area.
- 4) Conduct vegetation clearing and any new ground disturbance outside of the nesting season for birds in the project area.

- 5) If active nests are encountered during project activities implement protective buffer zones described in the regional land use plan, Table 6 of the Northern Land Use Guidelines – Seismic) or ECCC’s Recommended *Buffer Zones and Setback Distance* available at:

[http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1#\\_03\\_1\\_1](http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1#_03_1_1)

## **Topic 6: Wildlife Disturbance and Harassment**

### **Comment(s):**

Unless authorized by a Licence or Permit, paragraphs 52(a) and (b) of the *Wildlife Act* prohibit engaging in an activity that is likely to result in significant disturbance to big game or other prescribed wildlife, or to unnecessarily chase, fatigue, disturb, torment or otherwise harass game or other prescribed wildlife.

Schedule A – Part 1 of the *Wildlife General Regulations*, sets out the species prescribed as big game, and Schedule B sets out prescribed wildlife for the purpose of paragraphs 52(a) and (b) of the *Wildlife Act*.

Disturbance to wildlife from sources such as noise, light, vibrations, and human presence can result in energetic stress, avoidance of key habitat, loss of reproductive fitness, injury or mortality of wildlife. Activities that may cause sensory disturbance to wildlife include vehicle traffic, stationary machinery, noise from blasting, excavation, crushing, seismic testing, vegetation clearing, and lighting or flaring.

### **Recommendation(s):**

- 1) The Proponent should be aware that no wildlife should be disturbed, chased, or harassed by human beings on foot, in a motorized vehicle, or by aircraft. Unless authorized by a Licence or Permit, paragraphs 52(a) and (b) of the *Wildlife Act* prohibit engaging in an activity that is likely to result in significant disturbance to big game or other prescribed wildlife, or to unnecessarily chase, fatigue, disturb, torment or otherwise harass game or other prescribed wildlife. However, subject to section 55 of the *Wildlife Act* a person may chase wildlife away from a camp or work site if doing so is necessary to prevent injury or death to a person or damage to property.
- 2) Consult the setback distances, flight altitude guidelines and timing windows for wildlife provided in Tables 6 and 7 of the Northern Land Use Guidelines: Northwest Territories Seismic Operations Vol.9 (a) as they are applicable to variety of land use activities:

[http://www.lands.gov.nt.ca/sites/lands/files/resources/nlug\\_seismic\\_2015\\_english\\_-\\_16\\_sept\\_2015.pdf](http://www.lands.gov.nt.ca/sites/lands/files/resources/nlug_seismic_2015_english_-_16_sept_2015.pdf)

- 3) Consult the approved Land Use Plan, if applicable, that applies to the project area for further guidance on setback distances and timing windows to minimize disturbance to wildlife.
- 4) Wildlife shall be given the right of way at all times.
- 5) Suspend activities temporarily if one or more individuals of a big game species are spotted within five hundred (500) metres of the work site.

### **Topic 7: Reporting Wildlife Sighting**

#### **Comment(s):**

Proponents are encouraged to record wildlife sightings and to submit these records to ENR's WMIS. Wildlife sightings data provides useful information for assessing changes in species distribution and the timing and location of different life history events such as migration, denning, nesting, calving, etc.

#### **Recommendation(s):**

- 1) Submit information about wildlife sightings (species, date, time, location, number of individuals, sex, behaviour, etc.) to WMIS at [WMISTeam@gov.nt.ca](mailto:WMISTeam@gov.nt.ca). For further information on the WMIS consult:

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

- 2) Contact the regional ENR office to obtain blank wildlife sightings forms.

### **Topic 8: Reporting Wildlife Defence/Property Kills and Wildlife Incidents**

#### **Comment(s):**

Subject to paragraph 57(a) of the *Wildlife Act*, any big game or other prescribed wildlife that is killed to prevent injury or death to a person or damage to property must be reported to ENR as soon as is practicable. Section 7 of the *Wildlife General Regulations* describes what information must be included in the report.

Subject to section 58 of the *Wildlife Act* and sub-section 8(1) of the *Wildlife General Regulations*, any person who accidentally kills or seriously wounds big game or other prescribed wildlife with a motorized vehicle on a highway must report the event to an officer within 24 hours after the incident.

## **Recommendation(s):**

- 1) Report all sightings of bears in and around the project location to your local ENR office. Any defence of life and property kills must be reported to the appropriate ENR office immediately. Please contact the following Regional Office as required:
  - Inuvik Region Wildlife Emergency Line at (867) 678-0289
- 2) Ensure all field personnel have completed a bear safety training course to decrease the risk of attracting bears to work sites and threats to human safety, learn how to respond to bear encounters, and decrease the risk of wildlife mortality resulting from kills in defence of life and property.
- 3) Consult the “Safety in Grizzly Bear and Black Bear Country” brochure, available at:  
[http://www.enr.gov.nt.ca/sites/enr/files/resources/safety\\_in\\_grizzly\\_and\\_black\\_bear\\_country\\_english.pdf](http://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf)
- 4) Report to an ENR officer as soon as is practicable any wildlife that is killed to prevent injury or death to a person or damage to property.
- 5) Report to an ENR officer any big game or other prescribed wildlife that is killed or seriously wounded by a motorized vehicle on a highway within 24 hours after the incident.
- 6) Reports must include at minimum the name of the person who killed or injured the wildlife, an explanation of the incident, the time, date and location of the incident, the species or quantity involved, and any other information requested by the wildlife officer.
- 7) Contact the regional ENR office to obtain blank wildlife incident forms.

## **Topic 9: Wildlife Attractants and Waste Management**

### **Comment(s):**

Subject to sub-section 66(1) of the *Wildlife Act* no person shall store food, waste, or other substances in a manner that may attract big game or other prescribed wildlife and put people, domestic animals or wildlife in danger.

Subject to sub-section 65(1) of the *Wildlife Act*, it is illegal to intentionally feed big game, furbearers or other prescribed wildlife. Schedule A – Part 2 of the *Wildlife General Regulations* sets out the species prescribed as fur-bearers.

### **Recommendation(s):**

- 1) Waste being stored on site prior to being transported to a municipal landfill site, or disposed by other methods, must be stored in a manner that minimizes the attraction of wildlife, as it is a violation of *Section 66(1) of the Wildlife Act*. An animal proof, sealed container must be used for storing waste onsite to minimize wildlife being attracted to odours. For reference please refer to the following guidance document “Safety in Grizzly and Black Bear Country”

[http://www.enr.gov.nt.ca/sites/enr/files/resources/safety\\_in\\_grizzly\\_and\\_black\\_bear\\_country\\_english.pdf](http://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf)

- 2) Project personnel should not intentionally feed wildlife or purposefully encourage wildlife to habituate to human presence.

### **Topic 10: Spill Contingency Planning**

#### **Recommendation(s):**

- 1) In accordance with the *Spill Contingency Planning and Reporting Regulations Section 10*, all spills in accordance with Schedule B must be reported immediately to the 24-hour Spill Report Line (867) 920-8130.
- 2) With respect to the *Environmental Protection Act Section 5 (1b)* all spills regardless of amount must be cleaned up, and contaminated materials disposed of at an approved facility, and as per *Section 5(1c)* all reasonable efforts must be made to notify any parties affected or potentially affected by the spill.
- 3) ENR recommends, for increased environmental protection, that all heavy equipment and refuelling vehicles carry portable spill kits that include items such as absorbent pads, containment booms and spill pool catchment receptacles. Readily available and fully stocked spill kits can effectively mitigate potential spills.

ENR reminds the Proponent that references to applicable statutes and regulations are to be considered as advice only, and should not be construed as permission to contravene any other applicable statutes and regulations not mentioned in this letter.

Comments and recommendations were provided by ENR technical experts in the Environmental Protection and Waste Management Division, the Wildlife Management Division and the Inuvik Region and were coordinated and collated by the Environmental Assessment and Monitoring Section, 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](mailto: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