



Canadian Wildlife Service
Prairie & Northern Region
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Yellowknife, NT X1A 2P7

April 15, 2016

MVLWB File: MV2005L2-0015

Sarah McLean
Regulatory Specialist
Gahcho Kué Mine, De Beers Canada Inc.
Suite 300, 5120 – 49th Street
Yellowknife, NT X1A 1P8

RE: MV2005L2-0015 – De Beers Canada Inc. – Gahcho Kué Mine – 2015 Annual Wildlife Report

Mrs. McLean,

The Canadian Wildlife Service of Environment and Climate Change Canada (ECCC-CWS) has reviewed the 2015 Annual Wildlife Report submitted to the Mackenzie Valley Land and Water Board and is providing the recommendations below. ECCC-CWS' specialist advice is provided based on our mandate pursuant to the *Migratory Birds Convention Act* and the *Species at Risk Act*.

Observations of Bank Swallows were made by ECCC-CWS staff at the Gahcho Kué mine site during a site visit to assist with PRISM surveys in June 2015. Bank Swallows, their nests and eggs are protected under the *Migratory Bird Convention Act*. Further, in 2013, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) assessed Bank Swallows as "Threatened". Bank Swallows nest in burrows dug into exposed sand or soil banks near water bodies and at some construction sites with similar features. Excavation or construction activities conducted during the nesting season can inadvertently kill individuals or negatively impact their nesting success.

ECCC-CWS recommends that De Beers Canada Inc. carry out all phases of the project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, De Beers Canada Inc. should take into account Environment and Climate Change Canada's Avoidance Guidelines (<http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=AB36A082-1>). De Beers Canada Inc.'s is responsible for taking appropriate measures to ensure that they comply with the legislation and regulations and should avoid engaging in potential destructive or disruptive activities in key sensitive periods and locations, develop and implement appropriate preventative and mitigative measures.

Specifically, ECCC-CWS recommends that De Beers Canada Inc.:

1. Monitor Bank Swallow use of the Gahcho Kué mine site, and determine the location of any breeding sites;

2. Apply appropriate mitigation measures to protect individuals and nests;
3. Report results of monitoring and effectiveness of mitigation measures in future annual wildlife reports;
4. Update relevant sections of the Wildlife and Wildlife Habitat Protection Plan; and
5. Increase on site awareness of staff and contractors (see attached document as reference)

ECCC-CWS notes that the above recommendations are consistent with commitments made by De Beers Canada Inc. during the Environmental Impact Review of the project, see Technical Report response to Environment and Climate Change Canada (PR#348 p. 9) and also documented in Table C-9 of the project's Report of Environmental Impact Review (PR#426 p.200).

Should you require further information, please do not hesitate to contact Jean-Francois (JF) Dufour, Environmental Assessment Officer at (867) 669-4766 or jean-francois.dufour2@canada.ca.

Sincerely,



Bruce MacDonald
Manager, Northern Conservation Section
Canadian Wildlife Service, Yellowknife

cc: Angela Love, Regulatory Officer, Mackenzie Valley Land and Water Board
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