



Mackenzie Valley Land and Water Board
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July 17, 2014

File: MV2014D0001

Mr. Mark Wiseman
Avalon Rare Metals
130 Adelaide Street West, Suite 1901
TORONTO ON M5H 3P5 Email: mwiseman@avalonraremetals.com

Dear Mr. Wiseman:

Wildlife and Wildlife Habitat Protection Plan Approval – Conditional

The Mackenzie Valley Land and Water Board (the Board) met on July 17, 2014 and reviewed the Wildlife and Wildlife Habitat Protection Plan in accordance with condition 37 of Land Use Permit MV2014D0001.

The Board has approved the Wildlife and Wildlife Habitat Protection Plan conditionally upon receipt of the items identified in Table 1: Wildlife and Wildlife Habitat Protection Plan (attached). Please submit these updates within 60 days of this letter.

If you have any questions or concerns, please contact Tyree Mullaney at (867) 766-7464 or email tyree@mvlwb.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Willard Hagen".

Willard Hagen
MVLWB Chair

Copied to: Distribution List

Attachment: Table 1: Wildlife and Wildlife Habitat Protection Plan

Table 1: Wildlife and Wildlife Habitat Protection Plan

#	Topic	Recommendation	Item to be addressed
1	General Section 1, page 1	EC notes that the plan states "Effective Date of Erosion and Sediment Control Plan May 2014".	This correction will be incorporated into the next updated version of the WWHPP for the preliminary site preparation and construction program.
2	General Appendix A, page 1	In Appendix A, it states "Items highlighted in yellow are not applicable during this phase of the project" but there are no highlighted sections found in the appendix.	Appendix A of the WWHPP will be updated with yellow highlights for proposed future activities/infrastructure related to the main project construction phase as requested by Environment Canada.
3	Topic 2: Wildlife and Wildlife Habitat Protection Plan General Comments	Section 1.1 Effective date should refer to the WWHPP not the Erosion and Sediment Control Plan. 2) Section 2.3 Objectives of the WWHPP states the WWHPP is designed to achieve the following objectives: provide information to assess predictions of effects outlined in the Project environmental assessment ENR would like to point out that it is the Wildlife Effects Monitoring Program (WEMP) that is required for the overall mining project that is designed to test predictions including those made during the environmental assessment and looks forward to Avalons submission of a WEMP. The subsequent four objectives listed for the WWHPP are accurate; however it is not clear whether the last and second last objectives are actually met in the rest of the document. ENR recommends further detail be provided in the document as to where local and traditional knowledge has been incorporated and how timelines for implementation of adaptive changes to mitigation and monitoring will be decided upon. 3) Section 3.2 lists a number of mitigation actions that are general in nature and require additional detail. For example,	1) This correction will be incorporated into the next updated version of the WWHPP for the preliminary site preparation and construction program. 2) Local and Traditional Knowledge has been incorporated into the initial project design (e.g. tailings management facility location) and assessment and Avalon anticipates that the project will continue to benefit from the application of such knowledge from the aboriginal workforce, including the aboriginal environmental and wildlife personnel that will be participating in the wildlife monitoring program. Timelines for the implementation of adaptive changes to mitigation and monitoring will be decided upon by Avalon in consultation with its project management personnel, aboriginal partners and the applicable resource management agencies. Such consultations will reflect the risk, value of the ecosystem component, season, wildlife life cycle and reproductive cycle, constructability and/or ability to implement the identified concern and the identified management response. 3) Project

	<p>Avalon states that it will be identifying and monitoring birds nesting on an in the vicinity of the Nechalacho Project infrastructure, however it does not state how this will occur, who will do it and what exactly it will be monitoring. 4) Section 3.2 and other sections state that speed limits will be monitoring an enforced, but little detail is given regarding what those speed limits are, how they will be enforced, how drivers will be expected to proceed when wildlife is near the road etc. Please provide details. 5) Section 3.2 states that surface blasting will be suspended if large mammals are observed in the danger zone. Please provide further details regarding how large the danger zone is, who will make the decision to suspend and recommence, etc. 6) Section 3.3 Mitigation Measures for Key Species includes avoiding all known or suspected black bear den sites but should also include known berry patches. 7) Table 2: Preliminary Site Preparation and Construction Phase Wildlife Monitoring Program (Pg. 16) states that ENR will be notified of caribou, moose, black bears, migratory birds and species at risk mortalities within 24 hours of the incident. ENR prefers to be notified of all wildlife incidents that occur onsite including encounters and deterrence of fur bearing animals including but not limited to bears, wolverines, foxes and wolves. 8) Mitigation measures for key species including black bear and species at risk generally state that known and suspected den sites and nesting sites will be avoided; however, monitoring for the presence of wildlife appears to primarily rely on the observations of workers. Dedicated surveillance monitoring by Environmental staff and those trained to identify dens, nesting sites and wildlife sign around the project</p>	<p>environmental monitoring will be conducted primarily by the dedicated environmental staff. It is anticipated that most of the monitoring will be conducted on foot using non-intrusive monitoring techniques through the use of binoculars, cameras, GPS, and digital recording equipment, to locate and document nest observations, sensitive wildlife habitats, wildlife behaviors, etc. and to recommend mitigation measures as appropriate to minimize potential environmental effects to wildlife and wildlife habitat. 4) The Nechalacho Project Site is relatively small and characterized by undulating rocky terrain. Traffic speeds are anticipated to be in the range of 10 - 35 km/hr, depending on site location, road condition, traffic level, risk of encountering wildlife, season and as indicated in Avalon's commitments, wildlife will be given the right-of-way on all of the local project roads. 5) Once the blasting contractor is on site, meetings will be held to determine blasting risks, danger zones, etc. and actions to be taken to protect workers and any wildlife that may be present in the general vicinity. 6) As recommended, to the extent possible, berry patches will be avoided during the fruit-bearing season. 7) Avalon will be pleased to notify ENR of all wildlife incidents that occur onsite including encounters and deterrence of fur bearing animals including but not limited to bears, wolverines, foxes and wolves. 8) Avalon is committed to employing dedicated environmental staff to conduct the necessary environmental and wildlife monitoring at the project site during all phases of the project life. During this phase of the</p>
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		<p>site is necessary to ensure that the mitigations will be applied effectively and to proactively identify potential problems before they occur. ENR recommends that Avalon include regular dedicated surveillance monitoring by trained environmental staff for this phase and all phases of project life. 9) ENR would like to see Avalons Standard Operating Procedures (SOP) and associated forms included as part of the WWHPP. These documents are useful management tools used in the monitoring and reporting wildlife. These could include wildlife attraction, access management (speed limits), and wildlife deterrence. 10) All confirmed caribou sightings in the LSA will need to be documented and reported to ENR as soon as possible. 11) Appendix A has a useful matrix on potential effects of project component impacts to wildlife life; however it lacks the associated mitigation measure that Avalon will use to reduce or prevent the effects related to each of these.</p>	<p>project, given the relatively low level and seasonal nature of most of the site activity and low associated risk, this work may be completed by intermittent visits of the appropriate expertise. 9) Avalon will be pleased to develop a series of Standard Operating Procedures and associated forms for incorporation and use in the next updated version of the WWHPP for the preliminary site preparation and construction program. 10) As requested, all confirmed caribou sightings in the LSA will be documented and reported to ENR as soon as possible. 11) The Appendix A matrix will be updated as requested by ENR in the next updated version of the WWHPP for the preliminary site preparation and construction program.</p>
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