

MVLWB Permits

From: Miki Ehrlich <mehrlich@mvlwb.com>
Sent: Tuesday, May 27, 2014 12:01 PM
To: 'Bird, Sam (Calgary)'; 'Baulk, Emily (Calgary)'; 'Huntley, Lynn'
Cc: 'Patrick Clancy'; 'MVLWB Permits'
Subject: FW: Bear Response Guideline
Attachments: General Bear Encounter Guidelines - April 2010.docx

Hi all,

In ENR's comment #3 submitted for the LUP application, a reference is made to the General Bear Encounters Response Guidelines for the Dehcho Region. The document was not attached, so please find it attached to this email.

Thanks,

Miki

From: Patrick Clancy [<mailto:Patrick.Clancy@gov.nt.ca>]
Sent: Tuesday, May 27, 2014 8:49 AM
To: Miki Ehrlich (mehrlich@mvlwb.com)
Subject: Bear Response Guideline

Sorry...

Patrick Clancy
Environmental Regulatory Analyst
Environmental Impact Assessment
Conservation, Assessment and Monitoring Division
Department of Environment and Natural Resources
GNWT
(867) 920-6118
(867) 873-0293

Bear Encounter Response Guidelines

I. PRINCIPLES:

1. Protection of Life and Property
2. Conservation

II. OPERATIONAL GUIDELINES:

- A. Deterrence
- B. Re-locate, if feasible
- C. Destroy

III. OPERATIONAL PROCEDURES:

Contacts:

Initial contact during regular hours:

Environment and Natural Resources Dehcho Regional office at (867) 695-7450

Renewable Resource Officer (RRO) on call:

Fort Simpson Cell: (867) 695-7433 May 1 – September 30

Response Personnel:

The following personnel can be available for responding to problem bear situations:

Doug Villeneuve	Fort Simpson	(867) 695-7471	Cell: 695-6634
Kelly Pennycook	Fort Simpson	(867) 695-7470	Cell: 695-6620
George Tsetso	Fort Simpson	(867) 695-7472	
Floyd Bertrand	Fort Liard	(867) 770-4300	
Loyal Letcher	Fort Simpson	(867) 695-7480	Cell: 695-6589
Daniel Allaire	Fort Simpson	(867) 872-7481	Cell: 695-6587

Initial Contact:

1. The complainant should complete the attached checklist prior to calling Department of Environment and Natural Resources (see Page 6). It is critical that as much information as possible be provided at this point in order for the Officer to determine the appropriate response.

IV. RESPONSE

Wildlife Monitors at camps may be the initial responders to problem bears. It is imperative that they have a sufficient supply of appropriate deterrents at their disposal. All bear sightings and encounters shall be reported to the ENR office closest to the area of operation. A listing of Bear Deterrent equipment is available at Margo Supplies Limited:

http://www.margosupplies.com/canadian1/bear_dets.htm

The potential responses will be considered in the following order:

a) Camps

1. Wildlife Monitors will employ conventional means of deterring problem bears that threaten public safety or property. This may involve chasing a bear out of the camp with a vehicle or snowmobile, or using noise makers and rubber bullets. If these methods prove ineffective, and where a helicopter is available or can be obtained in the area, the bear may be chased from camp. Pilots must be careful not to over stress the bear during this flight and must back off when the bear is a sufficient distance from the camp and keeps running in the desired location. If circumstances allow, a Renewable Resource Officer (RRO) should be contacted prior to using aircraft to deter bears. Undue harassment is illegal and must be avoided. **All incidents involving any means of deterrence should be reported to a Renewable Resource Officer as soon as possible.**
2. Should for some reason, the Wildlife Monitor be unable to deter a bear, and where the bear does not pose an immediate threat to public safety or property, the Department of Environment and Natural Resources (DENR) may elect to respond directly.

b) Denning bears

If a bear is located in, at or near a den site, work in the area must halt. All employees should safely retreat from the area and report the occurrence to the Site Supervisor, Wildlife Monitor, and the Renewable Resource Officer in your area as soon as possible. Staff from DENR may be required to assess the site and may implement measures to ensure bears are not unduly disturbed. This may include the establishment of an exclusion zone of 300 meters around the den in which no work will be permitted. Work inside the exclusion zone will remain stalled until after den emergence.

c) Free ranging bears

Prior to active deterrence of free ranging bears, and where public safety or property is not in immediate danger, the Wildlife monitor will assess the situation. The monitor should determine if the bear has been disturbed from a den or if it is denning in close proximity. Bears in the vicinity of a den should not be deterred and work should cease until the RRO is advised of the situation and provides authorizations. If the Wildlife Monitor has determined that the bear is in fact free ranging, and not lingering around a den site, then active deterrence may commence.

d) Destruction of the bear

Instructions to destroy the bear may be given when deterrent actions have failed, when additional deterrent actions are not possible, or when it is determined that capture and relocation cannot be conducted, or is unlikely to be successful.

The bear can be destroyed without prior approval, if human life or property is in immanent danger.

If a bear is killed, you will be required to:

- 1) Report the kill to Department of Environment and Natural Resources, as soon as possible.
- 2) The minimum requirements for sample submission to ENR Dehcho are: the head date and time of the incident and the sex of the bear.
- 3) Keep the head frozen until such time you can turn the head over to a Department of Environment and Natural Resources Renewable Resource Officer along with the filled out Report.

As per section 54.(4) of the NWT Wildlife Act, no person may retain any part of a bear killed in defence of life or property. Please refer to section VI. (APPLICABLE LEGISLATION) for other important excerpts from the Wildlife Act.

V. FOLLOW-UP and BEST PRACTICES

After response measures are completed, the situation will be reviewed by an RRO in consultation with the camp operator, and corrective actions identified. These may include a wide array of actions aimed at avoiding future bear problems and ensuring that the operator is made aware of legal obligations. The need for conservation and the vulnerability of bear populations to over harvest is to be stressed.

To ensure the minimization of attraction of carnivores to camp through appropriate camp layout and food handling and storage procedures, please reference the *Safety in Grizzly and Black Bear Country* brochure available at:

<http://www.nwtwildlife.com/Publications/safetyinbearcountry/SafetyInGrizzlyandBlackbBearCountry.pdf>].

Inadequate storage, onsite treatment and disposal of wastes are the most common activities that lead to human/wildlife conflicts. Operators should be aware of the potential for wildlife/human conflicts resulting from the improper storage, transportation and disposal of wastes, such as food, paper, grey water and sewage. Waste being stored on site prior to being transported to a municipal landfill site, must not be stored in a manner that is likely to attract wildlife, as it is a violation of *Section 89 of the Wildlife Act*. Bears and other scavengers are attracted to grey water pits by the scent of food wastes and grease.

In addition, Operator's who plan on open burning of municipal solid wastes should only burn clean wood and paper. Municipal solid wastes that are conditionally suitable for open burning are paper products, paperboard packaging and untreated wood wastes only.

Recommendations to the Operator:

- Use an animal proof, sealed container for storing waste on site to prevent wildlife from being attracted to odours.
- Add bleach to dish water and lime/lye added to the covered pits every second day during periods of use. Bears and other scavengers are attracted to grey water pits by the scent of food wastes and grease.
- Ensure that the incinerator is well away from any structures and that there are no blind areas within 10 meters, unless the incinerator is housed within an electric fence.
- Only burn paper products, paperboard packaging and untreated wood wastes.

VI. APPLICABLE LEGISLATION

Wildlife Act

25.

An officer or a person authorized in writing by an officer may kill or destroy wildlife at any time and by any means where

- (a) the wildlife is endangering property or public safety; or
- (b) the wildlife is wounded or diseased or the officer or person reasonably believes that the wildlife is wounded or diseased.

38.

(1) Subject to subsection (3), no person shall without a permit entitling him or her to do so

- (a) persistently or repeatedly chase, weary, harass or molest wildlife without intending to capture or kill it;
- (b) engage in any activity that is likely to result in a significant disturbance to a substantial number of wildlife animals;

(c) break into, destroy or damage any den, beaver dam or lodge or muskrat push-up outside any municipality or prescribed area, unless authorized to do so by the regulations or any other law; or

(d) destroy, disturb or take the eggs or nests of any birds mentioned in the prescribed schedule.

(2) The Commissioner has a right of action against any person who willfully or negligently and without legal justification destroys or damages any habitat, and the Commissioner may recover damages for any costs that the Government of the Northwest Territories may be required to expend to restore the habitat to or near to its original state.

(3) A person may chase a bear away from a municipality, camp or settlement or its immediate vicinity where that action is necessary to defend life or property and makes it unnecessary to kill the bear, and a vehicle may be used in that chase.

39.

(1) Notwithstanding anything in this Act, a person may wound or kill wildlife if it is necessary

- (a) to preserve his or her or another person's life; or

(b) to protect his or her property.

(2) Every person who wounds or kills wildlife under subsection (1) shall without delay report the wounding or killing to an officer and

(a) give the wildlife to the officer, or

(b) advise the officer of where the wildlife is located, and the officer shall dispose of the wildlife in the prescribed manner.

40.

(1) Notwithstanding anything in this Act, a person may hunt wildlife and take the eggs of birds for food where it is necessary to prevent his or her or another person's starvation.

(2) Every person who invokes subsection (1) through mismanagement or poor planning commits an offence.

41.

A person who wounds wildlife shall make every reasonable effort to retrieve it.

52.

(4) A person who acquires prescribed wildlife without the authority of a licence or permit shall without delay report the acquisition to an officer and (a) give the officer the wildlife so acquired, or (b) advise the officer where the wildlife is located, and the officer shall certify and dispose of the wildlife in the prescribed manner.

54.

(4) Where a person lawfully kills wildlife in defence of life or property as permitted by this Act and other than under the authority of a licence, he or she shall not produce, sell, trade or barter that wildlife, but shall comply with subsection 52(4) with respect to it.

89.

No person shall in any place outside a municipality or settlement store, dispose of or allow to accumulate any refuse in a manner that

(a) substantially alters the habitat in that place or its immediate vicinity, or

(b) attracts or is likely to attract wildlife to that place or its vicinity, but this section does not apply to refuse dump situated in the vicinity of a municipality or settlement that serves the whole or a substantial part of that municipality or settlement.

Bear Complaint Checklist

1. Complainant Details:

Date/Time of Report: _____
 Complainants Name: _____
 Affiliation/Location of Complainant: _____
 Contact Number for Complainant: _____
 Other on Site Contacts: _____
 Wildlife Monitors Name: _____

2. Camp Details:

Location of Complaint: _____
 Latitude/Longitude: _____
 Type of Camp- Permanent/ Mobile: _____
 Number of People in Camp: _____
 How Long has Camp Been Here (if Mobile): _____
 Are there any Aircraft on site? If yes, Type: _____

3. History of the Problem:

Date/Time Bear First Sighted: _____
 Type of Bear: Black _____ Grizzly _____ Polar _____
 Sex of Bear: Male _____ Female _____ Unknown _____
 Age of Bear: Cub _____ Juvenile _____ Adult _____
 Has Bear Been Observed Before: _____

Den site found (description)?

What was the Bear Attracted To: _____
 Did the Bear Obtain Food: _____
 Behaviour of Bear: Fearful _____ Not Fearful _____ Aggressive _____
 Damage By Bear: _____

4. Deterrent Action:

Was the Bear Deterred? Yes _____ No _____
 If Yes, Type of Deterrent Used: _____
 Present Status of Bear: _____

5. Other Information:

Reporters Name/Title: _____
 Weather on Site at Time of Report: _____

Checklist Forwarded to: _____

6. Other Comments: _____

