

August 19, 2019

Cameron Wilson, Regional Superintendent
North Slave Region, Department of Infrastructure
P.O. Box 1320
Yellowknife, NT, X1A 2L9

Email:
cameron_wilson@gov.nt.ca

RE: Tłıchǫ All-Season Road – Wildlife Management and Monitoring Plan, Version 3.3

Dear Mr. Wilson,

As per section 12.5.1 of the Tłıchǫ Agreement, the Wek'èezhì Renewable Resources Board (WRRB) considers the above-mentioned Wildlife Management & Monitoring Plan (WMMP), submitted by the Government of the Northwest Territories Department of Infrastructure (GNWT-INF) on June 14, 2019, as a management proposal. It is the Board's understanding that construction is expected to begin in the fall of 2019 with the road scheduled to open late 2022. It is recognized that the WMMP will be implemented to reduce impacts from the project on wildlife and wildlife habitat and will be used to assess the impacts of the Tłıchǫ All-Season Road (TASR) on wildlife and wildlife habitat. Further, the WRRB understands that the information from these monitoring programs will contribute to regional scale efforts to monitor population trends and the distribution of *Tǫdzı* (boreal caribou), *Dedıı* (moose) and *Ejıe* (wood bison). Finally, the WRRB understands the WMMP applies to all contractors and sub-contractors associated with the project.

The WRRB has approved this WMMP, as per WRRB Motion #650-19-08-2019, but would like the following comments addressed *prior* to the start of construction.

- 1) The Board asks that GNWT-INF provide confirmation that the following information detailed in the WMMP will be provided to the WRRB as it becomes available:
 - Methods and dust suppression techniques used throughout construction (Section 4.2.1);
 - Results of the modelling of impacts from construction and operation of the TASR on *tǫdzı* (Section 5.2.3);
 - Methods for determining *tǫdzı* abundance in the NT1 range (Section 5.2.3);
 - Information on the "wildlife watch program" once it is developed (Section 5.2.6);
 - Methods to assess predator population densities, movements, and predation rates (Section 5.2.7);
 - Results of the thermal imaging pilot study (Section 6.2.2);

.../Page 2

- T̓dz̓i collar updates according to the schedule outlines in Table 1 of Appendix D. Additionally, collar maps should be provided on a weekly basis during the “less sensitive periods” (Appendix D); and,
 - Weekly updates from the Project Company regarding location and types of activities taking place during construction (Appendix D).
- 2) The WRRB recommends the Engagement Plan be revised to include the following items which are to be brought to the Corridor Working Group in order to discuss revisions to the WMMP to ensure that wildlife is being adaptively managed:
 - Any wildlife incidents that may occur, including any information regarding nest pre-clearing timelines;
 - Traffic levels exceeding the threshold of 50%, i.e. 20-40 vehicles a day to 30-60 vehicles a day occur; and,
 - Timelines and temporal scope for the development and implementation of a non-mandatory Aboriginal harvest monitoring and reporting program.
 - 3) Throughout the WMMP t̓dz̓i, ded̓i, and ejje are consistently listed as the large mammals of concern. The WRRB would like this list updated to include *Sah Dez̓q̓q̓* (black bear), *D̓iga* (wolf) and *N̓q̓gha* (wolverine). It should be noted that these large mammals and furbearers are not the only species of concern. All species contribute to a healthy and functioning ecosystem.
 - 4) The WRRB requests that wording regarding undisturbed habitat in Wek'èezh̓i as a limiting factor read: “Undisturbed habitat in the Wek'èezh̓i region may be limiting, as it is already above or near the 35% disturbance threshold” (Section 2.8.1).
 - 5) Training should be provided to workers on preventing white nose syndrome in bats. White nose syndrome has not yet been documented in the Northwest Territories, however the Board requests that all precautions be taken to ensure this remains the case (Section 4.1.1).
 - 6) Related to migratory birds, the bullet point should be revised to read, “Incidents related to migratory birds including, damage or disturbance to nests or eggs, or bird mortalities (Section 5.1.7).
 - 7) The WRRB requests that the results of the traffic monitoring be included in the WMMP annual reports (Section 5.2.1).
 - 8) To ensure that Appendix C is complete, all wildlife regulators should be listed; therefore, contact information for ECCC, who will enforce the Migratory Birds Convention Act, should be included (Appendix C).

- 9) An oversight committee is mentioned; the WRRB would like more information on this committee, who is involved, and its role and mandate (Appendix D).
- 10) It is the WRRB's understanding that Appendix D describes actions to be taken based on t̄qdzı collar data during all construction activities, and that these actions are complementary to monitoring protocols outlined in Appendix F. The Board acknowledges that access to collar data could simplify construction activity decisions but would like to emphasize that the vast majority of t̄qdzı in the Northwest Territories are not collared, and that collared t̄qdzı are often indicative of other individuals in an area. As the monitoring protocols, outlined in Appendix F, do not cover the entirety of the cautionary zones identified in Appendix D, the collar data and monitoring protocols do not provide adequate consideration for non-collared t̄qdzı. Additionally, uncertainty is added to the protocols outlined in Appendix D given that collar maps are only provided to project staff every 48 hours and t̄qdzı can move substantially in this timeframe.
- Specific to blasting, the Board understands that, as outlined in Appendix D, blasting will be delayed if *“within the last 48 hours collared t̄qdzı are within 2 km of an area where blasting will occur, and fresh signs of t̄qdzı are found within 500 m of the blast site. Blasting is to proceed once no caribou are found or seen within 500 m.”*
- Based on our understanding of the above, the WRRB recommends for all construction activities:
- It be made clear that activities identified in Table 1 are to be completed in addition to all other surveys, visual or otherwise, being conducted as part of the WMMP (Appendix D);
 - The cautionary (buffer) zone around collared t̄qdzı be increased to 4km from 2km for the late-winter period, and to 6km from 3km for the calving period, which should provide residual protection to non-collared t̄qdzı by the collared animals, as well as protect collared t̄qdzı who may have moved (Appendix D);
 - As per the Board's T̄ıch̄ Knowledge study on *T̄qdzı and the State of Their Habitat*, all habitat is important for the health of t̄qdzı. As such, the precautions set out in late winter should also be taken during the summer, fall, and early to mid-winter seasons (Appendix D);
 - As collar data cannot be relied upon to identify all calving t̄qdzı, visual surveys should occur during calving season, and be identified in Table 1 (Appendix D); and,
 - Specific to blasting, a 500m survey, looking for fresh signs of t̄qdzı and all other large mammals, should *always* be conducted prior to blasting (Appendix D and Appendix F).
- 11) ECCC has provided 2 contact emails through their comment #20. So far, only one of those emails have been added. The WRRB asks that the Environmental Protection Operations Division and the Canadian Wildlife Service (ec.eenordrpntno-eanorthpnrnwt.ec@canada.ca) be included (Appendix F).

12) It is not appropriate for the WRRB to be involved in pre-selecting a potential hunter to harvest bear(s) from their den. The Board asks that this task be left to Tłıchǵ Government but would like to be notified if this activity occurs, and the mitigation measures that were attempted up to that point in time (Appendix F).

The WRRB understands that the WMMP, as presented, is intended to utilize adaptive management practices. As such, the Board would like to reiterate that any and all changes to the WMMP, including but not limited to passive and impromptu adaptive management, and site-specific improvements are to be submitted to the Wek'èezhì Land and Water Board as soon as possible to undergo necessary approvals, including public review. Additional editorial comments have been included in the attached PDF.

Please do not hesitate to call our office with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Judas". The signature is fluid and cursive, with the first name "Joseph" and last name "Judas" clearly distinguishable.

Joseph Judas, Chair,
Wek'èezhì Renewable Resources Board

Cc Michael Birlea, Manager
Department of Culture and Lands Protection, Tłıchǵ Government

Loretta Ransom, Manager
Environment Assessment and Monitoring, GNWT-ENR

Joe Mackenzie, Chair
Wek'èezhì Land and Water Board