



PO Box 32, Wekweètì NT X0E 1W0
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3
Tel: 867-765-4592 Fax: 867-765-4593
www.wlwb.ca

May 25, 2022

File: W2017C0005

David Kelsch
Arctic Star Exploration Corp.
#1100 - 1111 Melville Street
Vancouver, BC V6E 3V6

Sent by email

Dear David Kelsch,

Re: Wildlife Management and Monitoring Plan, Version 1.0 – Approved with Revisions Required – Arctic Star Exploration Corp. – Mineral Exploration – Hardy Lake, NT

The Wek'èezhì Land and Water Board (Board) met on May 25, 2022 and considered the Wildlife Management and Monitoring Plan (WMMP or the Plan), Version 1.0¹ submitted by Arctic Star Exploration Corp. (Arctic Star) on February 4, 2022 as required by Land Use Permit (Permit) W2017C0005.²

The Board has decided to approve Version 1.0 of the WMMP and requires submission of Version 1.1 to incorporate the revisions outlined in Section 3.2 of the Reasons for Decision (attached). Arctic Star is to work with Board staff to establish a submission date for Version 1.1 of the WMMP.

The revised WMMP, Version 1.1 will be considered approved when Arctic Star receives written confirmation of conformity from the Board.

Please direct questions or concerns regarding this letter to Ryan Fequet in writing.

¹ See WLWB Online Registry www.wlwb.ca for [W2017C0005 - Diagras - Wildlife Management and Monitoring Plan - Version 1.0 - Feb 4 22](#).

² See WLWB Online Registry for [W2017C0005 - Diagras - Land Use Permit and RFD - Amendment - Nov 8 21](#).

Yours sincerely,



Mike Nitsiza

Acting Chair, Wek'èezhìi Land and Water Board

BCC'd to: Wek'èezhìi Distribution List
 Clint Ambrose– Inspector, GNWT-ENR

Attached: Reasons for Decision



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Reference/File Number:	W2017C0005 (Type "A" Land Use Permit)
Permittee:	Arctic Star Exploration Corp.
Subject:	Wildlife Management and Monitoring Plan Version 1.0

Decision from the Wek'èezhì Land and Water Board Meeting of May 25, 2022

1.0 Decision

On May 25, 2022, the Wek'èezhì Land and Water Board (WLWB or the Board) met to consider Arctic Star Exploration Corp.'s (Arctic Star) Wildlife Management and Monitoring Plan (WMMP or the Plan) Version 1.0, as required by Land Use Permit W2017C0005.

The Board has decided to approve Version 1.0 of the WMMP and requires submission of Version 1.1 to incorporate the revisions outlined in Section 3.2 of this Reasons for Decision. Arctic Star is to work with Board staff to establish a submission date for Version 1.1 of the WMMP.

2.0 Background

On October 28, 2021, the Board amended Arctic Star's Land Use Permit W2017C0005 (the Permit) for the Diagas Project. The amended Permit was issued on November 8, 2021.³ In the Board's Reasons for Decision, the Board included a non-standard condition in the Permit requiring Arctic Star to submit a Wildlife Management and Monitoring Plan for approval within 90 days of issuance of the amended Permit.

Arctic Star submitted Version 1.0 of its Wildlife Management and Monitoring Plan on February 4, 2022. On February 11, 2022, the Plan was distributed for public review using the Board's Online Review System (ORS). Reviewer comments were due by March 7, 2022. The Wek'èezhì Renewable Resources Board (WRRB), the Government of the Northwest Territories Environment and Natural Resources (GNWT-ENR), the North Slave Métis Alliance (NSMA), and Environment and Climate Change Canada (ECCC) submitted

³ See WLWB (www.wlwb.ca) Online Registry for [W2017C0005 - Diagas - Land Use Permit and RFD - Amendment - Nov 8 21](#)

comments and recommendations. Proponent responses were received by the deadline of March 14, 2022. Reviewer comments and recommendations, as well as proponent responses are available on the WLWB Online Review System.⁴

3.0 Reasons for Decision

Comments received during the public review were mainly focussed on asking for additional details and references to be included in the WMMP (see section 3.2 of this Reasons for Decision). No parties indicated that the WMMP should not be approved and there were no issues raised related to wildlife habitat that were not appropriately addressed by the Permittee. For these reasons, the Board has decided to approve Version 1.0 of the WMMP.

➤ ***Decision #1: The Board approves Version 1.0 of Arctic Star's WMMP.***

For further clarity, the Board would like to elaborate on what approval of the WMMP means. The Board recognizes the challenge of addressing potential impacts to wildlife and to wildlife habitat separately through the implementation of relevant mitigations. The Board recognizes that the regulation of wildlife is under the jurisdiction of the GNWT via the *Wildlife Act*, and therefore approves this Plan with the understanding that the Board's authority is limited to the regulation of the elements of this Plan that are related to wildlife habitat.

Section 3.1 of this Reasons for Decision discusses one issue related to caribou behaviour that was raised by GNWT-ENR during the public review. While Arctic Star provided a suggested alternative, the Board is of the opinion this issue should be handled by GNWT-ENR.

Section 3.2 of this Reasons for Decision outlines the revisions that Arctic Star, in response to public review comments, agreed to include in an updated Version of the WMMP. While many of these revisions do not deal specifically will regulation of wildlife habitat, given that Arctic Star has indicated its willingness to update the WMMP to include these revisions, the Board believes it is reasonable to request Version 1.1 of the WMMP to include the revisions outlined in that section. Because none of the issues raised were regarding immediate and urgent mitigations, Arctic Star is to work with Board staff to establish a submission date for Version 1.1 of the WMMP.

➤ ***Decision #2: The Board requires submission of Version 1.1 of the WMMP. Version 1.1 is to incorporate the revisions outlined in Section 3.2 of this Reasons for Decision.***

➤ ***Decision #3: Arctic Star is to work with Board staff to establish a submission date for Version 1.1 of the WMMP.***

3.1 Caribou Distance

One issue raised during the public review was related to a comment from the GNWT-ENR regarding the proximity of caribou to exploration activities (GNWT-ENR comment 2). GNWT-ENR commented that the WMMP stated: "if larger groups of wildlife are encountered at a specific exploration target on the

⁴ See WLWB Online Registry for [Diagras Project - Wildlife Management and Monitoring Plan - Version 1.0 - Feb 11 22](#)

property, the exploration activity at that location can be postponed until wildlife has moved on". GNWT-ENR recommended that Arctic Star postpone exploration activity when one or more caribou are within 500 metres of a specific exploration target (GNWT-ENR comment 2). Arctic Star responded that a singular caribou within 499 metres or less is an onerous restriction. Arctic Star proposed instead that it postpone exploration activity when "5 or more caribou" or "any number of calves" are within 500 metres and stated this commitment would be added to section 6 in the WMMP.

Some permits previously issued by the Board have included the following non-standard condition: "The Permittee shall cease operations when caribou are within five hundred (500) metres of any area where work is proceeding." This condition was intentionally not included in the current MVLWB Standard Land Use Permit Conditions⁵ for several reasons, including the fact that it deals with caribou behaviour, which is not within the Board's jurisdiction to regulate. Regulation of wildlife is under the jurisdiction of the GNWT through the *Wildlife Act*. For this reason, the Board advises Arctic Star to work collaboratively with GNWT-ENR on requirements regarding wildlife within the range of project activities.

3.2 Other Recommended Revisions from the Public Review

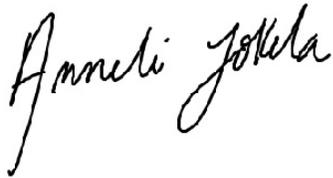
During the public review, several reviewers made suggestions for additional information and/or revisions to the WMMP. In response to comments, Arctic Star agreed to update the Plan to incorporate revisions to address the recommendations as follows:

- Revisit the WMMP and address the gaps noted by WRRB with respect to the GNWT's template for Tier 1 WMMPs (WRRB comment 1);
- Include the Bear Occurrence Manual (WRRB comment 1);
- Acknowledge in the Plan that the project overlaps with the range of barren-ground caribou and include the caribou map provided (GNWT-ENR-EAM comment 1);
- Cite references and resources as recommended by NSMA (NSMA comments 1 and 2);
- Include that Arctic Star will consider data sharing with organizations if requested (NSMA comment 4; ECCC comment 3);
- Include plan for orienting all staff to be cognizant of migratory bird nesting (ECCC comment 2);
- Include species at risk section, including a table of sensitive species and the table recommended by ECCC (NSMA comment 3; ECCC comment 3);
- Add ECCC to section 6 as a contact for reporting wildlife incidents related to migratory birds (ECCC comment 4); and
- Add an appendix to the WMMP to outline the federal and territorial legislation protecting wildlife in the NWT (ECCC comment 5).

⁵ See WLWB Resources Tab for [MVLWB Standard Land Use Permit Conditions Template - Version 2.3](#), under the Policies and Guidelines option

As explained above, the Board believes it is reasonable to request Version 1.1 of the WMMP to include the revisions outlined above.

Signed the 25th Day of May 2022, on behalf of the Wek'èezhii Land and Water Board



Witness



Mike Nitsiza
Acting Chair, Wek'èezhii Land and Water Board