



ʔehdzo Got'Inę Gots'ę Nákedı

PO Box 134, Tulita, NT, X0E 0K0

Phone (867) 588-4040

Mobile 867-446-1104

Skype deborahleesimmons

Fax (867) 588-3324

director@srrb.nt.ca

www.srrb.nt.ca

<http://www.facebook.com/SahtuWildlife>

Delivered via email

Heather Bourassa, Chair
Sahtu Land Use Planning Board

January-18-16

RE: Conformity Requirements for the Howard's Pass Access Road (HPAR) Upgrade Environmental Assessment (EA-1516-01) by Selwyn Chihong Mining (SCM) Ltd. and the Sahtu Land Use Plan

Dear Ms. Bourassa:

The ʔehdzo Got'Inę Gots'ę Nákedı (Sahtú Renewable Resources Board – SRRB) has reviewed the conformity of the Howard's Pass Access Road Upgrade project in relation to Conformity Requirements (CRs) outlined in the Sahtu Land Use Plan and the SRRB's mandate as the main instrument of wildlife management in the Sahtú Settlement Area (SSA).

We understand that the project will upgrade the current abandoned road to a double lane (8.4 m) as a precursor to developing, opening and operating the Selwyn Zinc-Lead mine. During the operation of the mine, SCM estimates traffic will be 100 trucks per day, including the shipping of zinc and lead concentrates, chemicals and fuel and other materials for the mine operation. The road will also require considerable maintenance, which means a sustained presence on the road for most of the year.

The road is 79 km in length and crosses several jurisdictions, with roughly 43 km in the extreme southwest section of the Sahtu Settlement Area (SSA). This area is located in the Tulita District of the SSA and is designated as Section 41 of the SLUP, as a Proposed Conservation Initiative, which has the same protection as a Conservation Zone. The Selwyn Zinc-Lead mine is located in the Yukon Territory and the local and cumulative impacts of the larger project will be assessed independently. This review only relates to the upgrade of an existing road, with the potential impacts from the construction activity on the road, the expansion of borrow sites and the road footprint to 8.5 m, the replacement of culverts and bridges, dust control, etc. Data are still being collected by the proponent for wildlife and traditional knowledge, which means that some details of the project are unclear and are still being developed.

Conformity to the Sahtu Land Use Plan was evaluated in the following areas:

CR #1 Land Use Zoning

This appears to be the critical CR for this project. The section of the SSA in which the road is located is designated as a Proposed Conservation Initiative, which restricts development and a number of activities. However, the project is allowed if the major project is outside the PCI, fully permitted and there is no “feasible alternative” to the road upgrade. There is no discussion by SCM as to alternatives to the road upgrade (winter road only, more airlifts of supplies) or methods to mitigate expected impacts from the road construction, or the heavy use by trucks.

CR #2 Community Engagement and Traditional Knowledge

In their project description the developer states that previous companies have conducted interviews for traditional knowledge with members of the community of Tulit'a (Pacifica Resources Limited), and community meetings (Sidena Consulting Ltd.), presumably to help mitigate any potential impacts to wildlife and resource use in the area of the road during the upgrade. SCM indicates that there is little current or recent use of the area by First Nations. However it is important to the SRRB that future resource use not be discounted or impacted. SCM indicates that they will undertake more traditional knowledge studies, although there is no firm commitment, and there is no indication of how traditional knowledge has been incorporated into project planning, design and implementation. There is also no indication of how the road upgrade and use will be conducted so as to ensure no interference with traditional uses of resources.

CR #7 Fish and Wildlife

The project description indicates that the South Nahanni woodland caribou herd, which extends into the SSA during the summer, is the major concern and that the effects of the project on the herd will be assessed. The extended construction activity and significant truck traffic on the upgraded road could have significant impacts on the ecology and distribution of the South Nahanni herd. Impacts on the Redstone herd in the SSA have not been considered. Other species (e.g., grizzly bear, mountain goats, Dall's sheep, furbearers, etc.) will be considered as “subjects of note” and are not appropriately prioritized given their ecological and cultural value. The SRRB is concerned that traditional land use and harvesting is not considered in a significant way. No mitigation strategies during construction are discussed.

CR #8 Species Introductions

The project description indicates that the spreading and introduction of alien species by trucks and heavy equipment will be controlled. There is no plan as to how this will be controlled or assessed or how the presence of foreign species will be determined (e.g., monitoring, periodic surveys, etc.) or how introduced species will be controlled if they become established.

CR#13 Closure and Reclamation

The developer states that after closure the borrow pits will be decommissioned and reclaimed, the roadbed stabilized to prevent erosion and maintain drainage, bridges and culverts removed and disturbed areas restored. It is unlikely that the company will undertake this considerable expense at the end of the project. The SRRB is concerned that plans be put in place for sections

of the road in the SSA to be returned to their natural state after closure, especially since the area of the SSA is a Proposed Conservation Initiative.

Summary

Most of the details of the project are under development and the possible short- and long-term impacts to renewable resources in the Sahtu are uncertain. The area in question for the SRRB is 43 km of road, however impacts may occur over larger areas than the physical footprint of the road by impacting the South Nahanni herd and other wildlife that covers a larger area.

Resource use from hunting, fishing and trapping may also be impacted over a larger area. The proponent is studying the distribution and condition of the South Nahanni herd. However the methods to mitigate impacts to the herd are not considered.

Most activity to expand the footprint of the roadway will occur in the winter to reduce damage to the surrounding area, but it is not clear whether road construction schedules will be adjusted to take into account impacts to the winter distribution of the South Nahanni, or other, caribou herds, bear denning sites, or traditional uses of the area, such as winter harvesting and trapping.

The proponent does not discuss alternative methods of supplying the mine or transporting product once the mine is operating. Truck traffic on the operational road will be significant and will probably impact local wildlife due to dust, noise and other activity.

Máhsı cho,



Deborah Simmons
Executive Director