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April 30, 2020

Mr. James Hodson, Wildlife Biologist  
Wildlife Division  
Environment and Natural Resources  
PO Box 1320  
Yellowknife NT X1A 2L9

Sent via email

Dear James Hodson,

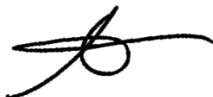
**RE: Best Management Practices and Guidelines for Industry in Boreal Caribou Habitat**

The Land and Water Boards (Boards) of the Mackenzie Valley (Gwich'in, Mackenzie Valley, Sahtu, and Wek'èezhii Land and Water Boards) considered the request from the Government of the Northwest Territories (GNWT) Department of Environment and Natural Resources (ENR) regarding the proposed draft Best Management Practices and Guidelines for Industry in Boreal Caribou Habitat (draft Guidelines). The Boards thank ENR for the opportunity to provide feedback and support the draft Guidelines as proposed and have provided specific comments in the spreadsheet provided (attached) for your consideration.

On a general note, the draft Guidelines are comprehensive. From the Boards' perspective, one of the main issues with the document will be assisting proponents in identifying potential impacts and mitigations so the Boards can conduct preliminary screenings as required under Part 5 of the *Mackenzie Valley Resource Management Act*. Understanding the best management practices (mitigations) will certainly aid in that requirement, as the link between the impacts or effects and mitigations is a crucial piece of that review conducted by the Boards and other screening bodies. To help make this linkage more clear the Boards suggest adding an appendix to the draft Guidelines that lists the potential impacts of the various industries along with the corresponding mitigations to address those impacts. Although the concepts are present in the draft Guidelines, the use of tables would provide the missing link back to what impact a best management practice could address. This will assist proponents provide this information in their applications.

The Boards look forward to reviewing the next version of the draft Guidelines. Again, we would like to thank the GNWT for this review opportunity. Please feel free to contact Chris Hotson at (867) 766-7459 or [chotson@mvlwb.com](mailto:chotson@mvlwb.com) should you require more information or to initiate a meeting.

Sincerely,



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Gwich'in Land and Water Board  
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Shelagh Montgomery  
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Mackenzie Valley Land and Water Board  
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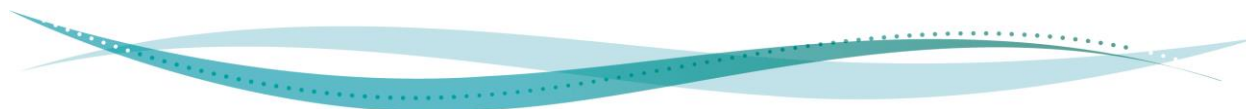


Paul Dixon  
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Attachment: Boards comments on draft Industry Guidelines for Boreal Caribou (Excel)



**Reviewer comments on the draft "Best Management Practices and**

Please return completed comment sheet to James\_Hodson@gov.nt.ca by April 30, 20

**Reviewer Name:**

**Reviewer Organization:**

<u>Topic</u>	<u>Section Number</u>	<u>Page number</u>
Please indicate generally or what part of the document or what topic the comment is in reference to.	Please provide the section that your comment is in reference to.	Please provide just the page number (or the first page number, if the section your comment pertains to spans several pages)
Glossary	Glossary	iv
Introduction	1	1
General Habitat description	1.1	3
Threats, Limiting factors, and Impact pathways	1.2	4
Threats, Limiting factors, and Impact pathways	1.2	5
Threats, Limiting factors, and Impact pathways	1.2	5
Range Planning Framework	1.4	8

Regional Land Use Plans	1.5.1	8
Regional Land Use Plans	1.5.1	10
Regional Land Use Plans	1.5.1	10
Timber Harvesting	1.5.3	11
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Reclamation Information	1.7.4	17
Appendix A. Summary of Development Authorizations	Table A 1.	36
Appendix A. Summary of Development Authorizations	Table A 1.	36

## Guidelines for Industry in Boreal Caribou Habitat for the

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### Comment

Please provide be as specific as possible and provide the rationale for your comment or recommendation

The glossary doesn't include a definition for habitat offsetting. It is noted that guidelines regarding habitat offsetting will eventually be developed within this document, but as the concept is referenced, a definition seems suitable to include.

The first sentence refers to "different resource development sectors..." . In the glossary, the term proponent is defined and includes government, which may be one of the common proponents to which this document applies to (e.g., Infrastructure). It is recommended that the sentence be re-worded to incorporate the definition of proponent.

There is a missing word:

The eastern edge of boreal caribou range in the NWT is defined **by the** eastern side of Great Slave Lake and Great Bear Lake and the Little Buffalo River and the western edge roughly follows the foothills of the Mackenzie Mountains (Species at Risk Committee 2012) (Figure 1).

Opening sentence states, "Direct mortality, habitat change, and stress or poor health can negatively impact the survival or reproduction of boreal caribou." Should it not be "...habitat change, **stress, and poor health** can negatively...."? Poor health can be caused by stress from external sources, such as insect harassment, or more directly from health related issues, such as parasite load or disease.

First paragraph describes roads that lead to increased access for predators, it is not explicit that it also increases access for human harvesters and should be described.

Figure 2 is an excellent one; however, can an improved resolution graphic be used?

The second paragraph states, "The Boreal Caribou Guidelines are intended to describe best practices that should be followed within Basic management class areas." This is a significant statement and purpose but is the first time this linkage is mentioned.

<p>Land use plans are reviewed regularly. Is this similar for all range use plans (5 years?). A time frame or reference to what the time scale for renewal would be helpful.</p>
<p>Figure 3 - Although the figure shows that a large portion of the range does not have a land use plan in place, the text is absent on this subject. This is a significant challenge for consistent management and should be stated explicitly.</p>
<p>Figure 3 - Description of the regions are not consistent within the document (e.g., Akaitcho and Northwest Territory Metis Nation vs. South Slave vs. Southern NWT).</p>
<p>In the last paragraph, it is stated, "A key update is creation of an authorization to clear forests for industrial purposes so as to regulate clearing undertaken as part of a land use permit." It is not clear if this authorization is to be issued after the land use permit.</p>
<p>Although the Land and Water Boards are the primary screeners, it should be stated that other organizations have a responsibility to screen as well, or adopt the screening of the LWBs.</p>
<p>The title should be Environmental Impact Assessment Process rather than Environmental Assessment Process. The former captures all three phases of the process: preliminary screening, environmental assessment, and environmental impact review.</p>
<p>"applicable LWB" could be used instead of "MVLWB and regional LWBs" in the first paragraph. This also clarifies that only one LWB is involved post EA.</p>
<p>A link to the Review Board guidelines should be added.</p>
<p>Grammar: 1) "The Boreal Caribou Guidelines describe some caribou specific reclamation guidelines under the <b>restore mitigation</b> sections." Should it be "under the <b>restoration mitigation</b> sections."? 2) "Additional closure and reclamation mitigation measures described in the....". Should it be "Additional closure and reclamation mitigation measures <b>are</b> described in...."?</p>
<p>"and occupation" should be deleted from "Use and occupation". Occupation can be interpreted to mean a form of tenure which is granted by the land owner and not by the LWBs.</p>
<p>Footnotes referencing the triggers for permits and water licences could be included (e.g. sections 4 and 5 of the Mackenzie Valley Land Use Regulations). Alternatively, in the next iteration of the document, links to the MVLWB's Guide to the Land Use Permitting Process and Guide to the Water Licensing Process could be included. These Guides are still in development, but it is anticipated that they will be available by the end of 2020.</p>

## Northwest Territories"

### Recommendation

Where applicable, please provide a recommended change to the document to address your comment

Consider inclusion of a basic definition for habitat offsetting, as it is referenced within the Guidelines.

The Northwest Territories Industry Best Management Practices/Guidelines for Boreal Caribou (the Boreal Caribou Guidelines) document was developed to provide proponents in different resource development sectors, and proponents supporting those sectors, with a set of Northwest Territories-specific boreal caribou best management practices and guidelines.

Consider proposed wording in red.

Consider proposed wording in red.

Possibly state linkage to range planning in intro as well?

Consider including a reference to time cycle for land use plans.

Develop text to indicate that the most impacted southern range does not have land use plans and implications of that fact.

Consistent and appropriate labelling of the regions should be used.

Although it is outside the purview of the review of this document, the LWBs would be pleased to meet with the ENR to: 1) clarify the sequencing of authorizations; and 2) ensure conditions are in alignment between the authorizations.

Revise text to indicate that there are other responsible agencies that conduct preliminary screenings.

Please see comment.

Please see comment.

Please see comment.

Please see comment.

Please see comment.

Please see comment.