

Comment Form for Draft Guidelines

Please submit comments in this Excel spreadsheet.

Page	Section	Comment
6	2.1	<p>Section 26 (1) a-q of the MVLUR, which dictates the jurisdiction of the MVLWB, does not include the mitigation or monitoring of wildlife populations.</p> <p>The MVLUR dictates that we can set terms and conditions relating to wildlife habitat and timing restrictions, however this is the extent to which the MVLWB can mitigate wildlife concerns</p> <p>Section 79 of SARA states that the regulatory authority must ensure that measures are taken and monitor the effectiveness of the measures. If Section 79(1) of SARA can dictate to that preliminary screeners must take into consideration wildlife at risk, can Section 79(2) of SARA take paramountcy over the MVLUR and dictate to the MVLWB that mitigations and monitoring of wildlife populations must be done? The MVEIRB should discuss this with Environment Canada and or legal representation and advise the MVLWB of the outcome.</p> <p>The MVLWB can include wildlife concerns and mitigations in the preliminary screening, however conditions to be placed in permits must follow section 26(1) a-q of the MVLUR, which does not include wildlife populations.</p>
7	2.2	<p>"If the development is carried out, ensure that measures are taken to avoid or lessen those effects" and "ensure that suitable monitoring of the adverse effects of the project on listed wildlife species occurs and is consistent with species recovery strategies and action plans": It is not within the jurisdiction of the MVLWB to issue terms and conditions for wildlife other than habitat protection and timing restrictions. The conditions to be placed in permits must adhere to section 26(1) a-q of the MVLUR.</p>
9	3.2	<p>Additional information would be required at time of application in order to determine risk to at risk species. This would require a change to the application forms and the licence and permit questionnaires. This is currently being reviewed by the MVLWB Application Processes Working Group.</p>
9	3.2	<p>Scale of project should include area of impact as well as project cost (also refers to pg 16, sec. 4)</p>
10	3.2	<p>The MVLWB relies on reviewers with expertise in the area to provide comments on the applications. A initial determination if the amount of information on wildlife at risk is adequate, however we would rely on the expert reviewers to ultimately make that decision. Since the MVLWB is under time constraints to issue permits, the suspension of the consideration of the application may not be feasible unless the application is put on hold pending additional information according to section 22 (2) b of the MVLUR. The MVLWB can determine if mitigation measures are identified and seem feasible, however, we rely on expert review to provide comments and judge the feasibility of the mitigation measures.</p>

10	3.2	Is there a central website that lists all of the tools available? This would be helpful as a single source to point the proponent and the preliminary screeners to the right place.
11	3.2	The MLVWB cannot set terms and conditions for mitigation measures related to wildlife populations. The conditions to be placed in permits, as outlined in the MVLUR section 26(1) a-q, does not include wildlife, however terms and conditions pertaining to wildlife habitat and timing restrictions can be set. An effective tool that the MLVWB often uses is management plans. These, however, would not be approved by the Board, only circulated for review to the appropriate agencies.
11	3.3	Early notification to the appropriate government agencies should include the Renewable Resource Boards in the Gwitchin, Sautu and Wek'eezhii regions.
13	3.4	The MLVWB can include wildlife mitigations within the preliminary screening and include this information in making a decision on the permit or licence. After the preliminary screening, it is not within the MLVWB's mandate to regulate wildlife in terms of enforcing mitigations or monitoring.
14	3.4	The steps for considering wildlife at risk fit within our mandate and jurisdiction, except for steps 6 and 7. These are outside of our mandate under sec 26(1) a-q of the MVLUR unless mitigation measures are for habitat protection and timing restrictions.
15	4	Additional information would be required at time of application in order to determine risk to at risk species. This would require a change to the application forms and the licence and permit questionnaires. Revision of the application form is currently being worked on by the MLVWB Application Processes Working Group.
15	4	Regarding prior consultation with government by the proponent: The MLVWB encourages proponents to engage with government prior to application in all aspects of the project.
16	4	Scale of project should include area of impact as well as project cost.

Adrian Paradis
Senior Regulatory Officer



Yours sincerely,

Please see the attached comments in the requested table format.

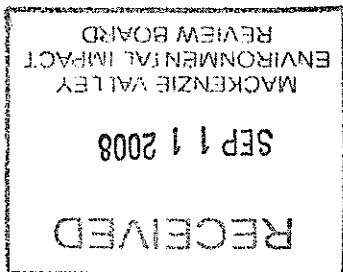
Thank you for opportunity to review the Draft Review Board Guidelines for
*Considering Wildlife at Risk (Including SARA Species) in Environmental
Impact Assessment in the Mackenzie Valley.*

Dear Mr. Haefele:

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September 4, 2008



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