



Canadian Wildlife Service  
5019 – 52<sup>nd</sup> Street  
Yellowknife, NT X1A 2P7

September 1, 2016

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MVEIRB File: EA1617-01

Robyn Paddison  
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Mackenzie Valley Review Board  
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Yellowknife, NT X1A 2N7

E-mail: [rpaddison@reviewboard.ca](mailto:rpaddison@reviewboard.ca)

Dear Robyn Paddison:

**RE: ACKNOWLEDGEMENT OF RECEIPT OF A NOTIFICATION PURSUANT TO SS. 79(1) OF THE SPECIES AT RISK ACT**

This letter confirms receipt of your letter of notification pursuant to ss. 79(1) of the *Species at Risk Act* (SARA), on August 5, 2016 in the context of the Tlicho All Season Road Project proposed by the Department of Transportation of the Government of the Northwest Territories.

Environment and Climate Change Canada (ECCC) looks forward to participating in the environmental assessment of this project. As a disclaimer, please note that this letter serves only to acknowledge the receipt of your letter of notification pursuant to ss. 79(1) of SARA; it should not be considered as a response from ECCC on any other requirement regarding this assessment of environmental effects process.

ECCC is the lead jurisdiction under SARA for notification purposes for Little Brown Myotis, Woodland Caribou (Boreal population), Wood Bison, Common Nighthawk, Olive-sided Flycatcher, Yellow Rail, Rusty Blackbird and Short-eared Owl. ECCC advises that you must consider, during the environmental assessment process, best available information regarding these species including, for example, final or draft federal Recovery Strategies, Action Plans, Management Plans, COSEWIC status reports available on *Species at Risk Act* Public Registry (<http://www.sararegistry.gc.ca>).

As the primary management jurisdiction, ECCC can provide information, expertise and advice on Common Nighthawk, Olive-sided Flycatcher and Yellow Rail.

Little Brown Myotis, Woodland Caribou (Boreal population), Wood Bison, Rusty Blackbird and Short-eared Owl are managed by the Government of the Northwest Territories (GNWT); as such, you are advised to consult the GNWT – Environment and Natural Resources for their information, expertise and advice on these species. ECCC can provide information and advice related to the implementation of recovery documents for these species.

Bank Swallow, Barn Swallow, Horned Grebe (Western population), Red-necked Phalarope, Gypsy Cuckoo Bumble Bee and Wolverine are not listed under SARA but have been assessed by COSEWIC. As such you are advised that it is best practice to consider them just as they were listed under SARA.

ECCC can provide information, expertise and advice on Bank Swallow, Barn Swallow, Horned Grebe and Red-necked Phalarope.

You are advised to contact the GNWT – Environment and Natural Resources for information, expertise and advice on Gypsy Cuckoo Bumble Bee and Wolverine.

Please note that under ss. 79(2) of the *Species at Risk Act*, the person required under an Act of Parliament to ensure that an assessment of environmental effects is conducted must identify adverse effects on all listed species, which includes species of special concern and the critical habitat of extirpated, endangered and threatened species; and if the project is carried out, ensure that measures are taken to avoid or lessen those effects and to monitor them. These measures must:

- be consistent with best available information including any Recovery Strategy, Action Plan or Management Plan in a final or proposed version (see attachments); and
- respect the terms and conditions of the Species at Risk Act regarding protection of individuals, residences, and critical habitat of extirpated, endangered, or threatened species.

The competent minister's role within environmental assessment is to provide technical advice and support to the Review Board to assist in addressing these requirements. However, it should be noted that the SARA competent minister also has certain specific obligations relative to species and critical habitat protection stemming from SARA itself, separate from the environmental assessment process.

For further information on your responsibilities regarding the consideration of wildlife species at risk in the environmental assessment process, please consult the following documents available on ECCC's website:

- *Addressing Species at Risk Act Considerations Under the Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister responsible for Environment Canada and Parks Canada* (<http://publications.gc.ca/site/eng/364877/publication.html>);
- *The Species at Risk Act Environmental Assessment Checklists for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada* ([http://www.registrelep-sararegistry.gc.ca/document/default\\_e.cfm?documentID=2101](http://www.registrelep-sararegistry.gc.ca/document/default_e.cfm?documentID=2101));
- *Environmental Assessment Best Practice Guide for Wildlife at Risk in Canada* ([http://www.sararegistry.gc.ca/virtual\\_sara/files/policies/EA%20Best%20Practices%202004.pdf](http://www.sararegistry.gc.ca/virtual_sara/files/policies/EA%20Best%20Practices%202004.pdf)).

While these SARA documents make specific reference to the *Canadian Environmental Assessment Act* and are currently being updated, much of their content may be relevant to other federal environmental assessment regimes in Canada's North such as the *Mackenzie Valley Resource Management Act*.

Yours sincerely,



Bruce MacDonald  
Regional Director – Northern Region  
Canadian Wildlife Service

Attachments:

Recovery Strategy for Little Brown Myotis (*Myotis lucifugus*), Northern Myotis (*Myotis septentrionalis*), and Tri-colored Bat (*Perimyotis subflavus*) in Canada [Proposed]  
Recovery Strategy for the Woodland Caribou (*Rangifer tarandus caribou*), Boreal population, in Canada  
Recovery Strategy for the Wood Bison (*Bison bison athabasca*) in Canada [Proposed]  
Recovery Strategy for the Common Nighthawk (*Chordeiles minor*) in Canada  
Recovery Strategy for Olive-sided Flycatcher (*Contopus cooperi*) in Canada  
Management Plan for the Yellow Rail (*Coturnicops noveboracensis*) in Canada  
Management Plan for the Rusty Blackbird (*Euphagus carolinus*) in Canada

Management Plan for the Short-eared Owl (*Asio flammeus*) in Canada [Proposed]

Cc:

Georgina Williston, Head, Environmental Assessment North, Environmental Protection Operations Directorate

Melissa Pinto, Environmental Assessment Coordinator, Environmental Protection Operations Directorate

Jean-Francois Dufour, Environmental Assessment Officer, Northern Conservation Section, Canadian Wildlife Service

James Hodson, Wildlife Biologist, Environmental Assessment/Habitat, Environment and Natural Resources, GNWT

Andrea Patenaude, Wildlife Biologist, Environmental Assessment/Habitat, Environment and Natural Resources, GNWT