

Environmental Assessment North (NT & NU)
Environmental Protection Operations (EPO)
Prairie and Northern Region
5019 52nd Street, 4th Floor
P.O. Box 2310
Yellowknife, NT X1A 2P7

30th March 2011

Our File: 4708 001 122

Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor, 4910 - 50th Avenue
P.O. Box 2130
Yellowknife, NT X1A 2P6

Attention: Shannon Hayden

permits@mvlwb.com

Re: MV2011C0002 – Type A Land Use Permit Application – Diamond Drilling Drybones Bay, NT – Alex Bebogorski.

Environment Canada has reviewed the information submitted with the above noted application. The following advice is provided pursuant to **Section 22** of the *Mackenzie Valley Resource Management Act*.

Environment Canada's contribution to your request for specialist advice is based on the mandated responsibilities under **Section 36(3)** of the *Fisheries Act*, the *Canadian Environmental Protection Act* (CEPA), the *Migratory Birds Convention Act* (MBCA), and the *Species at Risk Act* (SARA).

The proponent has applied for a Type A Land Use Permit to carry diamond drilling on their mineral claim in the Drybones Bay area, Great Slave Lake. It will be a small operation with one to three persons on site and to drill approximately ten diamond drill holes with only one being drilled this year. Permission has been granted by Snowfield Development Corp. for the proponent to use their camp which is located in the Drybones Bay area, which is permitted under, Permit Number MV2003C0023, which expires August 30, 2011.

The following comments and recommendation should be followed at all times during operation at the site:

Comments and Recommendations

The proponent shall ensure that any chemicals, fuel or wastes associated with the proposed activities do not enter waters frequented by fish. It is a requirement of **Section 36(3)** of the *Fisheries Act* that all effluent discharged into water frequented by fish, be non-deleterious.

The proponent should be aware that the *Canadian Environmental Protection Act* lists CaCl as a toxic substance. The proponent shall therefore ensure that if CaCl is used as a drill additive, all sumps containing CaCl are properly constructed and located in such a manner as to ensure that the contents will not enter any water body.

If artesian flow is encountered, the drill hole shall be plugged and permanently sealed upon completion.

The Canadian Wildlife Service has reviewed this application and provides comments and recommendations pursuant to the *Migratory Birds Convention Act* and *Regulations* and the *Species at Risk Act*.

The following species at risk as assessed by COSEWIC and/or listed on Schedule 1 of the Federal Species at Risk Act (SARA) may be encountered in the project area: Horned Grebe, Yellow Rail, Short-eared Owl, Common Nighthawk, Rusty Blackbird and Wolverine. Refer to species status reports and other information on the Species at Risk registry at www.sararegistry.gc.ca for information on specific species as well as the booklet "Species at Risk in the Northwest Territories" (2010 Edition) available at:

http://www.enr.gov.nt.ca/live/pages/wpPages/Species_at_Risk.aspx.

If **Species at Risk** are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence.

Monitoring should be undertaken by the proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of **Species at Risk**, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.

For species primarily managed by the Territorial Government (Peregrine Falcon, Rusty Blackbird, Boreal Woodland Caribou and Wolverine), the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.

Section 6 (a) of the Migratory Birds Regulations states that no one shall disturb or destroy the nests or eggs of migratory birds. If active nests are encountered during project activities, the nesting area should be avoided until nesting is complete (i.e., the young have left the vicinity of the nest).

If vegetation clearing or tree removal is necessary to upgrade the access road to the quarry or to access borrow material these activities should be conducted outside of the migratory bird breeding season. In the boreal region of the Northwest Territories (Figure 1), migratory birds may be found incubating eggs from May 7 until July 21, and young birds can be present in the nest until August 10.

EPO should be notified of changes in the proposed or permitted activities associated with this Water Licence.

If you have any further questions or comments, please do not hesitate to contact me at (867) 669-4744 or ron.bujold@ec.gc.ca.

Yours truly,



Ron Bujold
Aquatic Environmental Assessment Technician

cc: Carey Ogilvie (Head, EA-North, EPO)
Anne Wilson (Water Pollution Specialist, EA-North, EPO)
James Hodson (Environmental Assessment Officer, Canadian Wildlife Service, EPO, Yellowknife, NT)

Rhonda Miller - MVLWB

From: Bujold,Ron [Yel] [Ron.Bujold@EC.GC.CA]
Sent: March-29-11 6:58 PM
To: permits@mvlwb.com
Cc: Ogilvie,Carey [Yel]; Wilson,Anne [Yel]; Hodson,James [Yel]; EANorthNWT [Yel]
Subject: MV2011C0002 - Type A Land Use Permit Application - Diamond Drilling Drybones Bay, NT - Alex Bebogorski.
Attachments: MV2011C0002 Copy of Comment Table for Alex Debogorski - March 2011.xls;
MV2011C0002 Type A Land Use Permit Diamond Exploration Drybones Bay Alex Debogorski.pdf

<<MV2011C0002 Copy of Comment Table for Alex Debogorski - March 2011.xls>> <<MV2011C0002 Type A Land Use Permit Diamond Exploration Drybones Bay Alex Debogorski.pdf>>

Ron Bujold

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