

Environmental Stewardship Branch
Canadian Wildlife Service
Suite 301, 5204 - 50th Avenue
Yellowknife, NT X1A 1E2

January 23, 2009

Ms. Tawanis Testart
Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
Box 938, 5102-50th Avenue
Yellowknife, NT
X1A 2N7

Dear Ms. Testart:

Re: Notification pursuant to the requirements of subsection 79(1) of the *Species at Risk Act* (SARA).

Thank you for your notification letter of January 12, 2009 informing Environment Canada (EC) that the proposed mineral exploration project at Howard's Pass submitted by Selwyn Resources (MVEIRB file: EA0708-001) may potentially impact the following Species at Risk: Grizzly Bear, Woodland Caribou, Wolverine, and Peregrine Falcon.

EC notes that Woodland Caribou (Northern Mountain population) and the Peregrine Falcon (*anatum* subspecies) are listed on Schedule 1 of SARA. Both the Northern Mountain Caribou population and the Peregrine Falcon (*anatum-tundrius* complex) have been designated as Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). Grizzly Bear and Wolverine are also designated as Special Concern by COSEWIC and are under consideration for addition to Schedule 1 of SARA.

EC is a competent minister under SARA and as such, has a national role to play in the conservation and recovery of Species at Risk in Canada. However, expertise and day-to-day management responsibility for Grizzly Bear, Woodland Caribou, Wolverine, and Peregrine Falcon in the Northwest Territories is within the jurisdiction of the Government of the Northwest Territories (GNWT). Thus, for this particular project, the GNWT is best suited to provide specific advice and information on the potential adverse effects of this project to these species and their habitat, and to suggest mitigation and monitoring measures. EC's role with respect to this particular project and any adverse effects on these species will be to provide advice and information on SARA, and general comments on the assessment.

EC also notes that the proposed project at Howard's Pass overlaps with the ranges of the Olive-sided Flycatcher, Common Nighthawk, Rusty Blackbird, and Short-eared Owl. These species have been designated by COSEWIC as at risk and are under consideration

for addition to Schedule 1 of SARA. EC recommends that the environmental assessment should consider whether these species could be encountered or affected by the project and any potential adverse effects of the project to the species, its habitat, and/or its residence should be identified.

Expertise and responsibility for Olive-sided Flycatcher and Common Nighthawk are within the jurisdiction of EC. If these species could be encountered or affected by the project, EC's role with respect to this particular project and these species will be to provide advice and information on potential adverse effects to these birds and their habitat, and suggest mitigation and monitoring measures. Expertise and day-to-day management responsibility for Rusty Blackbird and Short-eared Owl in the Northwest Territories is within the jurisdiction of the GNWT.

Species status reports and other information on specific Species at Risk can be found on the Species at Risk registry at www.sararegistry.gc.ca as well as the booklet "Species at Risk in the Northwest Territories" available at the GNWT website at www.nwtwildlife.com.

Sincerely,

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cc: Vanessa Charlwood (A/Western Arctic Section Head, Northern Conservation Section, CWS, EC)
Mike Fournier (Northern Environmental Assessment Coordinator, EPOD, EC)
Gavin More (Manager, Environmental Assessment, GNWT)