



Environment and Climate Change Canada *Mackenzie Valley Resource Management Act* Preliminary Screening Decision for the Edézhíe National Wildlife Area

Environment and Climate Change Canada (ECCC) has conducted a preliminary screening for the establishment of the Edézhíe National Wildlife Area (NWA) under sections 124(2) and 125 (1) of the *Mackenzie Valley Resource Management Act* (MVRMA). The reasons for Decision (Preliminary Screening Decision) are set out below.

Preliminary Screening Assessment Process

On September 22, 2020, ECCC submitted a preliminary screening Notice and Description of Proposal for the Edézhíe NWA to the Mackenzie Valley Review Board and other interested organizations and individuals for review. The Preliminary Screening Notice and Description of Proposal, along with letters of support for the Edézhíe NWA from the Edézhíe Management Board, Dehcho First Nations (DFN), and the Tłı̨chǫ Government can be found at: https://reviewboard.ca/sites/default/files/ps/edehzhie_notice_of_ps.pdf

A public commenting period for the proposed Edézhíe NWA followed from September 23, 2020 to October 23, 2020 and ECCC received comments from the Government of the Northwest Territories (GNWT). ECCC provided responses to the comments submitted by the GNWT in a supplemental package submitted to the distribution list on January 20, 2021, which can be found here:

https://reviewboard.ca/sites/default/files/ps/ipcanwa_edehzhie_mvrma_2020prelimscreen_eccc_responsespubliccomments_letterattachment1_final_signed.pdf

Many of the comments received, dealt with the future management of this Protected Area, which will be determined through the management planning process in partnership with our co-management partners, DFN and with the guidance of the Edézhíe Management Board. The Edézhíe Dehcho Protected Area and proposed NWA establishment is an effort to pursue the shared goals of conservation biodiversity and wildlife habitat while ensuring the Dene-Edézhíe relationship is respected and preserved. ECCC remains excited and committed to this co-management process and to working in this collaborative manner to designate Edézhíe as a NWA in addition to the existing designation as a Dehcho Protected Area.

GNWT submitted final comments on February 3, 2021 during an additional commenting period (January 21, 2021 to February 3, 2021). The GNWT identified that overall, they were satisfied with the responses provided by ECCC in the January 2021 supplemental package, however, they were concerned that there could be a gap in Wood Bison harvest management following establishment of the Edézhíe NWA. Although the GNWT did not request referral to environmental assessment, the GNWT did seek further clarity from ECCC to ensure that necessary protective Wood Bison harvest measures are in place upon the inception of the Edézhíe NWA.

Upon receipt of these final comments from the GNWT, ECCC scheduled discussions with the Edézhíe Management Board, Dehcho First Nations (DFN), GNWT, and leadership representatives from Fort Providence. Following these discussions, the Edézhíe Management

Board made an interim plan for Wood Bison management in Edézhíe on August 11, 2021 (Attachment 2). This interim plan involves continuing to use the metal tagging system administered by the Fort Providence Resource Management Board to track harvest numbers of the Mackenzie Wood Bison population, and will be in place from the time of designation of the Edézhíe NWA until the Edézhíe Management Plan is finalized (March 31, 2023).

A summary of all comments received from both commenting periods and ECCC's responses and assessment of whether each comment indicates that this proposed development might cause a significant adverse impact to the environment or might be cause of public concern can be found in the Table attached to this Preliminary Screening Decision (Attachment 3).

Preliminary Screening Decision

Based on the assessment presented above and in Attachment 3, it is in the opinion of ECCC that:

- There is no likelihood that the proposed development might have a significant adverse impact on the environment.
- There is no likelihood that the proposed development might be a cause of public concern in relation to a potential impact on the environment that could be included within the scope of an environmental assessment.

Therefore, ECCC is not referring the proposed establishment of the Edézhíe NWA to the Mackenzie Valley Review Board for environmental assessment.

This Preliminary Screening Decision does not constitute a decision to establish Edézhíe as a National Wildlife Area. The process to establish the Edézhíe NWA will occur through public review through publication of a regulatory package in *Canada Gazette*, Part I, followed by a public commenting period, and establishment of the Edézhíe NWA will be announced through publication in *Canada Gazette*, Part II.

The *Proposed Regulations Amending the Wildlife Area Regulations and the Environmental Violations Administrative Monetary Penalties Regulations - Edézhíe National Wildlife Area* were published in the *Canada Gazette*, Part I, on March 6, 2021 for a 30-day comment period (<https://gazette.gc.ca/rp-pr/p1/2021/2021-03-06/html/reg2-eng.html>). One public comment was received during the *Canada Gazette*, Part I commenting period which expressed support for the proposed Edézhíe NWA. Publication in *Canada Gazette*, Part II is tentatively set for February 2022.

Should you have any further questions please feel free to contact Emily Nichol at Emily.Nichol@ec.gc.ca or (867) 444-9452.

Sincerely,



Bruce MacDonald
Director, Canadian Wildlife Service – Northern Region
Environment and Climate Change Canada

- Attachments:
1. Environment and Climate Change Canada *Mackenzie Valley Resource Management Act* Preliminary Screening Proposal to Establish the Edézhíe Dehcho Protected Area as a National Wildlife Area under the *Canada Wildlife Act* – Distribution List
 2. Letter from the Edézhíe Management Board to Environment and Climate Change Canada Outlining the Interim Plan for Wood Bison Harvesting in the Proposed Edézhíe National Wildlife Area
 3. Summary of Comments Received during Public Review of the proposed Edézhíe National Wildlife Area *Mackenzie Valley Resource Management Act* Preliminary Screening and Environment and Climate Change Canada, Canadian Wildlife Service's Responses and Assessment
 4. Comments Received during Public Review of the proposed Edézhíe National Wildlife Area *Mackenzie Valley Resource Management Act* Preliminary Screening



ATTACHMENT 1

Environment and Climate Change Canada Mackenzie Valley Resource Management Act Preliminary Screening Proposal to Establish the Edézhíe Dehcho Protected Area as a National Wildlife Area under the Canada Wildlife Act – Distribution List

Mackenzie Valley Environmental Impact
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ATTACHMENT 2

Letter from the Edézhíe Management Board to Environment and Climate Change Canada Outlining the Interim Plan for Wood Bison Harvesting in the Proposed Edézhíe National Wildlife Area



Edézhíe Protected Area

Box 89, Fort Simpson, N.W.T. X0E 0N0
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E-mail: Edézhíe_admin@dehcho.org

August 12, 2021

Bruce MacDonald
Director, Canadian Wildlife Service – Northern Region
Environment and Climate Change Canada
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Yellowknife, NT X1A 1T5
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Re: *EMB Decision on Interim Bison Management in Edézhíe*

Dear Mr. MacDonald and Grand Chief Cayen:

I am pleased to inform you that on August 11, 2021 the Edézhíe Management Board (EMB) reached a final consensus decision on the question of wood bison management in Edézhíe, which was raised by the Government of the Northwest Territories during the preliminary screening process related to the establishment of Edézhíe as a National Wildlife Area.

Consensus Decision:

The Board is replacing its former consensus decision of June 8-9, 2021 with the following:

While S. 35 rights holders can continue to exercise their right to harvest wood bison in Edézhíe in accordance with Dehcho Dene law as per the EEA, the EMB agrees that bison harvest needs to be sustainably managed across borders. The Board supports the continuing use of the current management system within Edézhíe as an interim measure, until such time as bison management can be considered within broader management planning discussions in Edézhíe. This includes the establishment of a total annual allowable harvest by the Mackenzie Wood Bison Working Group, and the ongoing administration of Fort Providence bison harvests by the Fort Providence Resource Management Board, using the existing metal tag system. Fort Providence bison harvests may continue to occur inside or outside Edézhíe, within their quota. Final decisions, if different, will be incorporated into the Edézhíe Management Plan.

It is the Board's understanding that ECCC will be invited to join the Mackenzie Wood Bison Working Group, to work alongside existing Fort Providence member organizations and other partners to be able to address Edézhíe-specific management questions as they arise, and refer questions to the EMB as required.



EDÉZHÍE

Edézhíe Protected Area

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This final decision was reached after several rounds of discussions between DFN, ECC and the GNWT between February and May 2021, the results of which were discussed with the EMB. Because Fort Providence is the most affected and involved Edézhíe community in wood bison management, the EMB requested the input of Deh Gah Gotie First Nation (DGGFN) and Fort Providence Metis leadership on this matter. Representatives of DGGFN and the Fort Providence Metis attended the Fort Providence Elders/Harvesters Committee meeting on August 4th to discuss bison management. All participants agreed that it is best to continue with the existing system of wood bison management until such time as the EMB is able to consider the matter in the broader context of management planning in Edézhíe. This result was presented to the Board at its meeting yesterday, allowing it to conclude its discussions and finalize the decision as presented above.

We trust this will resolve this outstanding question on the preliminary screening process, and allow the establishment of Edézhíe as a National Wildlife Area to proceed without further delay.

Mahsi,

Herb Norwegian, Chair
Edézhíe Management Board

CC: Grand Chief Kenneth Cayen
Dehcho First Nations
Email: grandchief_cayen@dehcho.org

ATTACHMENT 3

Summary of Comments Received during Public Review of the proposed Edézhíe National Wildlife Area *Mackenzie Valley Resource Management Act* Preliminary Screening and Environment and Climate Change Canada, Canadian Wildlife Service's Responses and Assessment

Comment Number	Date Received	From	Comment Summary ¹	ECCC-CWS Response	ECCC-CWS Assessment
1	September 22, 2020 via email	MVLWB	The activities proposed are occurring below the activity thresholds of the Mackenzie Valley Land and Water Board's jurisdiction, and the Board will not be participating in the screening process.	No response provided.	N/A
2	September 24, 2020 via email	GRRB	The GRRB have reviewed the documents provided and do not have any conservation concerns. Based on the information provided, the GRRB supports this project.	No response provided.	The submission from the GRRB supports the establishment of the Edézhíe NWA. The submission does not indicate that the establishment of the Edézhíe NWA might have a significant adverse impact on the environment or that there might be a cause of public concern.
3	October 23, 2020 via email	GNWT	<i>The Archaeological Sites Act and Archaeological Sites Regulations do not apply to the proposed Edézhíe NWA as it is on federal land.</i> It is unclear if archaeological sites and artifacts in the proposed Edézhíe NWA will be afforded adequate protection. It is unclear if the proposed Edézhíe NWA will have an archaeological site management regime and a process to regulate archeological research.	Edézhíe lands are under the administration and control of her Majesty in right of Canada, which means they are excluded from the GNWT <i>Archaeological Sites Act</i> . Archaeological sites and artifacts would be provided protection in the proposed Edézhíe NWA under section 3(1)(t) of the <i>Wildlife Area Regulations (WAR)</i> , made under <i>the Canada Wildlife Act (CWA)</i> . Section 3(1)(t) of the WAR prohibits the removal, defacement, damaging or	The GNWT is satisfied with ECCC's response from the January 2021 supplemental package regarding the protection for archaeological sites and artifacts (see comment 7 below). The submission does not indicate that the establishment of the Edézhíe NWA might have a significant adverse impact on the environment or that there might be a cause of public concern.

				<p>destruction of any artifact or natural object in any wildlife area.</p> <p>Pursuant to Section 4 of the WAR, a permit may be issued to a person or government body for any activities in the case where, the proposed activity is to promote the conservation or protection of wildlife, and the benefits outweigh any adverse effects to wildlife or wildlife habitat, and there are no alternatives to the proposed activity that would be likely to produce the same or equivalent benefits. This would allow for archaeological research to occur, should a permit be applied for and granted.</p> <p>Further details for archaeological site management and regulation of archaeological research will be discussed as part of the Edézhíe management planning process. ECCC will recommend to the DFN and the Edézhíe Management Board that the GNWT be invited to participate in discussions related to archaeological sites management and research during the management planning process.</p>	
4	October 23, 2020 via email	GNWT	The Government of the Northwest Territories-Environment and Natural Resources has several operational interests that overlap with the proposed Edézhíe NWA, including regional management responsibilities.	All research and monitoring activities within the boundaries of the proposed Edézhíe NWA will require a permit issued by the Minister of the Environment (or the Minister's delegate). The WAR prohibits entry without a permit into any NWA, that is listed in section 3.3 and it is proposed that the Edézhíe NWA be listed in this section.	The GNWT is satisfied with ECCC's response from the January 2021 supplemental package clarifying how research, monitoring, and permitting will be managed (see comment 7).

		<p>It is unclear if there will be support for regional programs delivered by the GNWT (i.e., regional wildlife management and compliance and fire management) or what changes may occur as a result of the proposed Edézhíe NWA.</p> <p>It is unclear if research and monitoring can occur in the proposed Edézhíe NWA.</p> <p>More information on the permitting process is requested.</p> <p>More information on wildlife harvesting compliance issues is requested.</p> <p>It is unclear if a consistent management approach will be undertaken for bison. The GNWT consider a consistent approach to be important for bison and note that a limited wood bison harvest through a quota of 40 male-only animals allocated primarily to rights holders, but also to General Hunting Licence and Resident Hunting Licence holders, will resume in winter 2020 in <i>Wildlife Act</i> management areas that include the Edézhíe Dehcho Protected Area and proposed Edézhíe NWA.</p>	<p>This is consistent with the Edézhíe Management Board's decision at the October 2019 Board meeting to secure the highest level of protection for the proposed Edézhíe NWA. The Board requested at this time that the Government of Canada prohibit all activities unless a permit is granted, until a management plan is in place to provide further direction on potential allowable activities without a permit.</p> <p>Permitting procedures for NWAs are guided by the WAR and all permit applications will undergo review by the Edézhíe Management Board prior to any decision by the Minister of the Environment (or the Minister's delegate). There is currently no annual deadline for permit applications for the proposed Edézhíe NWA. However, due to the review process by the Edézhíe Management Board, which is external to the ECCC review process, it is advised that applications be submitted a minimum of 4 months in advance of the proposed project start date. Additional information on the permitting process can be found at: https://canada.ca/en/environment-climate-change/services/national-wildlife-areas/permits-activities/protected-areas/application-supplement-nwa-permit-under-war-yukon-northwest-territories-nunavut.html</p>	<p>The GNWT was not satisfied with the response provided on Wood Bison management (see comment 6).</p> <p>Excluding Wood Bison management concerns, the submission does not indicate that the establishment of the Edézhíe NWA might have a significant adverse impact on the environment or that there might be a cause of public concern.</p> <p>As a result of GNWT's concerns, further follow-up on management of Wood Bison was completed and an assessment is provided below (see comment 6).</p>
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				<p>ECCC is collaborating with GNWT-ENR-Forestry on an Edézhíe Fire Management MoA that would outline how GNWT might manage wildfires occurring within the boundary of the proposed Edézhíe NWA until a management plan is in place to provide further direction on fire management.</p> <p>ECCC will continue to work with the GNWT to finalize the Edézhíe Fire Management MoA and will recommend to DFN and the Edézhíe Management Board that the GNWT be invited to participate in discussions related to fire management during the management planning process.</p> <p>Section 3(1) of the WAR states that no person shall hunt, fish or trap in the NWA. Non-Aboriginal or treaty rights holders that have a GNWT tag will be prohibited from hunting bison within the boundaries of the proposed Edézhíe NWA without an NWA permit.</p> <p>ECCC recognizes that the current approach for bison management is inconsistent with the GNWT's regional approach, acknowledges the benefits of a consistent approach, and commits to working with DFN, the Edézhíe Management Board, and the GNWT to finalize wildlife management in Edézhíe through the management plan. ECCC will recommend to DFN and the Edézhíe</p>	
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				<p>Management Board that the GNWT be invited to participate in discussions related to wildlife management and compliance (including bison management) during the management planning process. At the same time, ECCC recommends that GNWT invite the Edézhíe Management Board and ECCC representatives to regional wildlife management and compliance discussions that will affect Edézhíe.</p> <p>With respect to bison management, prior to the proposed Edézhíe NWA being established, ECCC and DFN will reach out to Deh Gáh Got'íê First Nation Mackenzie Bison Working Group representatives and the regional GNWT biologist to determine a communication strategy on this specific management issue. This communication strategy will include a plan on how the Edézhíe Management Board and the Edézhíe Elder/Harvester Committees would be engaged on this specific management issue.</p> <p>As per article 3.3(a) of the Edézhíe Establishment Agreement, individuals exercising Aboriginal or treaty rights protected under section 35 of the <i>Constitution Act, 1982</i> in a manner consistent with Dehcho law will not require a permit or authorization to engage in Dene</p>	
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				<p>Ahthít'e within the boundaries of the proposed Edézhíe NWA. This extends to resource hunting and other cultural uses and activities.</p> <p>Wildlife harvesting compliance issues for harvesting by section 35 rights holders within the boundaries of the proposed Edézhíe NWA will be described in a harvesting protocol that will be developed by the Edézhíe Management Board. Procedures and practices that will be followed where there is any question whether an activity is being carried out within the boundaries of the proposed Edézhíe NWA pursuant to a Section 35 Right will be described in an enforcement protocol developed jointly by DFN and ECCC.</p> <p>ECCC commits to working with DFN, the Edézhíe Management Board and the GNWT to finalize wildlife management, including harvesting, in Edézhíe through the management plan. ECCC will recommend to DFN and the Edézhíe Management Board that the GNWT be invited to review the Harvesting Protocol and provide feedback during the management planning process. At the same time, ECCC-CWS recommends that GNWT invite Edézhíe Management Board and ECCC-CWS representatives to regional wildlife management and compliance discussions that will affect Edézhíe.</p>	
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5	October 23, 2020 via email	GNWT	<p>The section 'Prohibited and Allowable Activities without a Permit' only provides for activities that would be prohibited within the proposed NWA without a permit.</p> <p>It is unclear what activities would be allowable with a permit, and it is unclear what the permitting process would look like.</p> <p>It is unclear if permitted allowable activities could include habitat restoration projects (offsets) within the proposed Edézhíe NWA.</p> <p>It is unclear if hunting by hunters holding General Hunting Licences or Resident Hunting Licences be impacted by the proposed NWA or the permitting process.</p>	<p>During the October 2019 Edézhíe Management Board meeting, the Board discussed the prohibited activities for the proposed Edézhíe NWA. The Board decided on the highest level of protection for the proposed Edézhíe NWA and requested that the Government of Canada prohibit all activities in the Edézhíe NWA, unless a permit is granted, until a management plan is in place to provide further direction on potential allowable activities without a permit.</p> <p>As per article 3.3(a) of the Edézhíe Establishment Agreement, individuals exercising Aboriginal or treaty rights protected under section 35 of the <i>Constitution Act, 1982</i>, in a manner consistent with Dehcho law, will not require a permit or authorization to engage in Dene Ahthít'e within the boundaries of the proposed Edézhíe NWA, including resource hunting and other cultural uses and activities.</p> <p>Under certain conditions, authorization to undertake prohibited activities may be granted to non-Aboriginal or treaty rights holders through a permit issued by the Minister of the Environment (or the Minister's delegate), after review and recommendation by the Edézhíe Management Board. Generally, a permit may be issued to a person or government body if the proposed activity is being undertaken does not conflict</p>	<p>The GNWT is satisfied with ECCC's response from the January 2021 supplemental package clarifying how permitting will be managed (see comment 7).</p> <p>During the MVRMA Preliminary Screening public commenting period and the <i>Canada Gazette</i>, Part I public commenting period no comments were received from the public expressing concern that hunters holding a General Hunting Licence or Resident Hunting Licence would be restricted from hunting within Edehzhie (unless a permit is recommended by the Edézhíe Management Board and issued by the Minister of the Environment).</p> <p>The submission does not indicate that the establishment of the Edézhíe NWA might have a significant adverse impact on the environment or that there might be a cause of public concern.</p>
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				<p>with the purpose of the NWA establishment (i.e., wildlife or wildlife habitat conservation, research and interpretation).</p> <p>Permitting procedures for NWAs are set out in the WAR and all permit applications will undergo review by the Edézhíe Management Board prior to any decision by the Minister of the Environment (or the Minister's delegate). There is currently no annual deadline for permit applications for the proposed Edézhíe NWA. However, due to the review process by the Edézhíe Management Board, which is external to the ECCC review process, it is advised that applications be submitted a minimum of 4 months in advance of the proposed project start date. Additional information on the permitting process can be found at: https://canada.ca/en/environment-climate-change/services/national-wildlife-areas/permits-activities/protected-areas/application-supplement-nwa-permit-under-war-yukon-northwest-territories-nunavut.html</p> <p>Offsetting projects would not be approved as permitted allowable activities. Conservation allowances, such as habitat restoration offsetting, should provide ecological protection beyond what would be provided under a business-as-usual scenario (Canada, 2012). The proposed Edézhíe NWA will contain a high level of protection to</p>	
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				<p>begin with and necessary habitat restoration, as a result of natural processes, such as wildfires, will be addressed in the upcoming management planning process, but will not be considered for offsetting purposes.</p> <p>Section 3(1) of the WAR states that no person shall hunt, fish or trap in the NWA. Hunting will be prohibited in the proposed Edézhíe NWA unless a permit is recommended by the Edézhíe Management Board and issued by the Minister of the Environment, or the individual is doing so pursuant to article 3.3(a) of the Edézhíe Establishment Agreement. These measures will be communicated to the public during the Canada Gazette process (prior to establishment).</p> <p>As per the Edézhíe Establishment Agreement, individuals exercising Aboriginal or treaty rights protected under section 35 of the <i>Constitution Act, 1982</i>, in a manner consistent with Dehcho law, will not require a permit or authorization to engage in Dene Ahtít'e within the boundaries of the proposed Edézhíe NWA, including resource hunting and other cultural uses and activities.</p> <p>Reference: Canada. Environment and Climate Change Canada. 2012. <i>Operational framework for use of conservation allowances</i>. Ottawa –</p>	
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				Ontario: Environment Canada c2012. 17p. En14-77-2012-eng.pdf (PDF, 318 KB).	
6	February 3, 2021 via email	GNWT	<p>Based on ECCC's January 2021 supplemental preliminary screening material, GNWT believe that a gap in Wood Bison harvest management could occur following establishment of the Edézhíe National Wildlife Area. The supplemental material did not provide a definite timing commitment for addressing Wood Bison management in Edézhíe.</p> <p>Well-defined protective measures for Wood Bison should be provided in ECCC's preliminary screening reasons for decision of the proposed Edézhíe NWA. This is necessary to address potential gaps in management that may impact this species in relation to harvest activity upon the inception of the Edézhíe NWA.</p> <p>While the GNWT does not support referral to environmental assessment, the GNWT requests that ECCC outline in its preliminary screening reasons for decision, what protective harvesting measures for Wood Bison will be in place at the inception of the National Wildlife Area.</p>	<p>Upon receipt of the GNWT's concern regarding Wood Bison management, ECCC met with DFN and GNWT and requested advice and decisions from the Edézhíe Management Board and Fort Providence Leadership representatives.</p> <p>Following these discussions, the Edézhíe Management Board finalized the following Interim plan for the management of Wood Bison harvesting in the proposed Edehzhie NWA on August 11, 2021:</p> <p><i>While S. 35 rights holders can continue to exercise their right to harvest wood bison in Edehzhie in accordance with Dehcho Dene law as per the EEA, the Edézhíe Management Board agrees that bison harvest needs to be sustainably managed across borders.</i></p> <p><i>The Board supports the continuing use of the current management system within Edehzhie as an interim measure, until such time as bison management can be considered within broader management planning discussions in Edehzhie.</i></p> <p><i>This includes the establishment of a total annual allowable harvest by the Mackenzie Wood Bison Working Group, and the ongoing administration of Fort Providence</i></p>	<p>The submission from the GNWT does not support referral to environmental assessment.</p> <p>The submission does not indicate that the establishment of the Edézhíe NWA might have a significant adverse impact on the environment or that there might be a cause of public concern.</p>

				<p><i>bison harvests by the Fort Providence Resource Management Board, using the existing metal tag system. Fort Providence bison harvests may continue to occur inside or outside Edehzhie, within their quota. Final decisions, if different, will be incorporated into the Edehzhie Management Plan.</i></p> <p><i>It is the Board's understanding that ECCC will be invited to join the Mackenzie Wood Bison Working Group, to work alongside existing Fort Providence member organizations and other partners to be able to address Edehzhie-specific management questions as they arise, and refer questions to the Edézhíe Management Board as required.</i></p> <p>This Interim management plan for Wood Bison harvesting in Edehzhie will be in place from the time that Edehzhie is established as an NWA until the Edehzhie Management Plan is finalized. The Edézhíe Management Plan is scheduled to be finalized by March 31, 2023. The Edézhíe Management Board is committed to seeking GNWT participation in future discussions regarding Wood Bison management in Edézhíe.</p>	
7	February 3, 2021 via email	GNWT	The GNWT is satisfied with ECCC's remaining responses from the January 2021 supplemental package, including the responses ECCC provided for the protection for archaeological sites and artifacts and the		The submission from the GNWT supports the establishment of the Edézhíe NWA and future participation in the management planning processes that will further support shared

		<p>responses provided which clarify how research, monitoring and permitting will be managed.</p> <p>The GNWT looks forward to participating in future management planning processes that will further support our shared objectives related to conservation of biodiversity and wildlife habitat.</p>		<p>objectives related to conservation of biodiversity and wildlife habitat.</p> <p>The submission does not indicate that the establishment of the Edézhíe NWA might have a significant adverse impact on the environment or that there might be a cause of public concern.</p>
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¹Full text of all comments received is included Attachment 4.




CWA = *Canada Wildlife Act*; CWS = Canadian Wildlife Service; DFN = Dehcho First Nations; ECCC = Environment and Climate Change Canada; ENR = Environment and Natural Resources; GNWT = Government of the Northwest Territories; GRRB = Gwich'in Renewable Resource Board; MoA = Memorandum of Agreement; MVLWB = Mackenzie Valley Land and Water Board; N/A = Not Applicable; NWA = National Wildlife Area; WAR = *Wildlife Area Regulations*.

ATTACHMENT 4

Comments Received during Public Review of the proposed Edézhíe National Wildlife Area *Mackenzie Valley Resource Management Act* Preliminary Screening

Received September 22, 2020 via email from Mackenzie Valley Land and Water Board

 Tue 2020-Sep-22 1:13 PM
Jen Potten <jpotten@mvlwb.com>
RE: Edézhíe NWA - MVRMA Preliminary Screening Proposal Notification

To:  Nichol, Emily (EC)
Cc:  Chris Hotson
 You replied to this message on 2020-Sep-22 2:57 PM.

Emily –

Thank you for your email. As these activities are occurring below the activity thresholds of the Mackenzie Valley Land and Water Board’s jurisdiction, the Board will not be participating in this screening process.


If you have any questions about this comment or future screening notices, please contact me.

Cheers-

Jen

Regulatory Coordinator
Mackenzie Valley Land and Water Board
7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6
ph 867.766.7468 | fax 867.873.6610
jpotten@mvlwb.com | www.mvlwb.com

Please note: All correspondence to the Board, including emails, letters, faxes and attachments are public documents and may be posted to the public registry.



Received September 24, 2020 via email from Gwich’in Renewable Resource Board

 Thu 2020-Sep-24 2:19 PM
GRRB Reviews <reviews@grrb.nt.ca>
RE: Edézhíe NWA - MVRMA Preliminary Screening Proposal Notification

To:  Nichol, Emily (EC)

Hi Emily,

Thank you for giving the Gwich’in Renewable Resources Board the opportunity to provide feedback on the proposed Edézhíe National Wildlife Area. We have reviewed the documents you sent and do not have any conservation concerns. Based on the information provided, we support this project.

All the best,

Steve



October 23, 2020

Mr. Bruce A. MacDonald
Director, Canadian Wildlife Service – Northern Region
Environment and Climate Change Canada
3RD FLOOR 5019 – 52 STREET
YELLOWKNIFE, NT X1A 1T5

BY EMAIL

Dear Mr. MacDonald:

Government of the Northwest Territories' comments for the proposal to establish the Edézhíe Dehcho Protected Area as a National Wildlife Area

On behalf of the Government of the Northwest Territories (GNWT), I would like to submit our attached comments and recommendations regarding the proposal to establish the Edézhíe Dehcho Protected Area as a National Wildlife Area. All GNWT departments with interests related to the area reviewed the preliminary screening material. Comments and recommendations were provided by the GNWT departments of Education, Culture and Employment; Environment and Natural Resources; and Justice.

If Environment and Climate Change Canada has any questions about this submission or requires additional information, please contact Ms. Katie Rozestraten, Project Assessment Analyst, and Katie_Rozestraten@gov.nt.ca, or me at Lorraine_Seale@gov.nt.ca or (867) 767-9180 ext. 24020.

Sincerely,

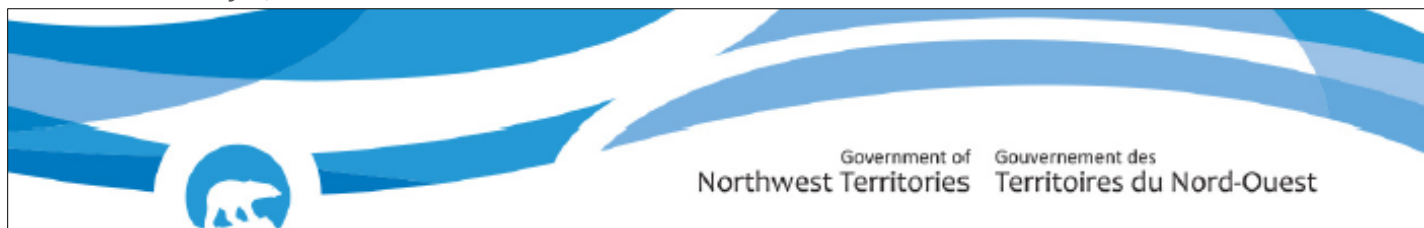
Lorraine Seale
Director, Securities and Project Assessment
Department of Lands

Attachment

Government of the Northwest Territories' comments for the proposal to establish the Edézhzhie Dehcho Protected Area as a National Wildlife Area

Topic	Comment	Recommendation
General Comment - archaeological site protection gap	The <i>Archaeological Sites Act</i> and <i>Archaeological Sites Regulations</i> do not apply to Edézhzhie as it is on federal land. In the absence of federal legislation that regulates archaeological research and protects archaeological sites and artifacts on federal lands outside those administered by Parks Canada, it appears that Edézhzhie lacks a management regime for archaeological sites and artifacts.	It is recommended that ECCC clarify if adequate protection for archaeological sites and artifacts can be achieved through the management plan or regulations for the protected area or if further action is required to ensure the area has a suitable archaeological site management regime and a process to regulate archaeological research.
General Comment - ENR operations	GNWT-Environment and Natural Resources (ENR) has several operational interests that overlap with the Edézhzhie Dehcho Protected Area. In addition, ENR has management responsibilities that occur at a regional scale. Should the implementation of the protected area move forward, ENR requires further information to understand how our work on regional wildlife management and compliance matters, and fire management may change with the proposed project. It is also important to note that a limited wood bison harvest through a quota of 40 male-only animals allocated primarily to rights holders, but also to General Hunting Licence and Resident Hunting Licence holders, will resume in winter 2020 in <i>Wildlife Act</i> management areas that include the Edézhzhie Dehcho Protected Area. Will ECCC allow tag holders without an asserted or established Aboriginal and/or treaty right to harvest in Edézhzhie National Wildlife Area to seek to harvest a bison therein? A consistent management approach for this species is important.	To add more clarity for the public, it is recommended that the proposal document includes: <ol style="list-style-type: none"> 1. If the regulations on the National Wildlife Area will preclude research and monitoring work undertaken by GNWT. 2. A description of the permit process, permit criteria and approval time. 3. Technical information regarding ECCC's approach to fire management in the protected area 4. A description of how wildlife harvesting compliance issues (i.e. wastage of big game or pelts of furbearers) will be operationalized. 5. If bison hunting is to occur in the project area - ENR recommends that the current bison 'total allowable harvest' that is implemented under the <i>NWT Wildlife Act</i> through tags, and is applied to rights holders, should be followed in the Edézhzhie Dehcho Protected Area National Wildlife Area for continuity in the management approach for bison between federal and territorial jurisdictions.
Page 3, Governance Structure	The Edézhzhie Dehcho Protected Area will be "managed collaboratively between the Dehcho First Nations and the Government of Canada, with input from the Government of the Northwest Territories (GNWT)". The section does not speak to supporting the Territorial government with its operational program delivery, in particular, ENR programming that has a regional management responsibility for wildlife and fire.	To support GNWT input on governance, it is recommended that that the proposal include a statement of future intent to support regional environmental management and programming requirements of the Territorial government.
Page 4, heading 'Prohibited and Allowable Activities without a Permit'	The section 'Prohibited and Allowable Activities without a Permit' only provides for activities that would be prohibited within the proposed National Wildlife Area without a permit.	For clarity, this section should be restructured to identify prohibited and allowable activities, as driven by the permit process. Identify any differences for section 35 rights holders.

Topic	Comment	Recommendation
Page 4, heading 'Prohibited and Allowable Activities without a Permit'	Building on comment above, could permitted allowable activities include habitat restoration projects (offsets) within the Edézhzhie National Wildlife Area?	ENR recommends that offset or habitat restoration project activities, including but not limited to boreal forest caribou, be considered as an allowable activity in the Edézhzhie National Wildlife Area.
Page 4, heading 'Prohibited and Allowable Activities without a Permit'	Building on comment above, and recommendation 2 provided under 'governance structure' comment regarding information about the permit process and criteria: The package as presented does not explain if permit eligibility will impact or reduce hunting given the implications of how the Edézhzhie National Wildlife Area will operate. ENR cannot determine if the permit process will impact hunters holding General Hunting Licences or Resident Hunting Licences.	It is recommended that ECCC indicate what, if any, changes non-section 35 right holders may encounter if this project proceeds. Should greater limitations on hunting be observed in the Dehcho region due to the Edézhzhie National Wildlife Area, this is perceived to be a potential area of public concern. GNWT requests additional information is provided to help inform if fewer opportunities to hunt in the Edézhzhie National Wildlife Area under a General Hunting Licence or Resident Hunting Licence will occur as part of this proposed project.



Feb 03 2021

BY EMAIL

Mr. Bruce A. MacDonald
Director, Canadian Wildlife Service – Northern Region
Environment and Climate Change Canada
3RD FLOOR 5019 – 52 STREET
YELLOWKNIFE NT X1A 1T5

Dear Mr. MacDonald:

Government of the Northwest Territories considers the proposal to establish the Edézhíe Dehcho Protected Area as a National Wildlife Area

Thank you for Environment and Climate Change Canada's (ECCC) responses to the Government of the Northwest Territories' (GNWT) October 2020 comments and recommendations about the proposed Edézhíe National Wildlife Area. All GNWT departments with interests related to the area reviewed the January 2021 supplemental preliminary screening material.

At your request, the GNWT has considered whether there might be any significant impacts on the environment or whether there might be public concern with the designation of the Edézhíe Dehcho Protected Area as a National Wildlife Area. Our feedback on this matter is captured in this letter for ECCC's consideration in making a preliminary screening determination for the proposed Edézhíe National Wildlife Area.

- 1. Well-defined protective measures for Wood Bison should be provided in ECCC's preliminary screening reasons for decision of the proposed Edézhíe National Wildlife Area to address potential gaps in management that may impact this species in relation to harvest activity.*

The GNWT understands that upon inception of the Edézhíe National Wildlife Area management continuity regarding total allowable harvest provisions would not apply. Additionally, there would be no limitation to Indigenous rights holders harvesting Wood Bison within the area and the Northwest Territories *Wildlife Act* would not apply.

.../2

The GNWT believes that a gap in Wood Bison harvest management could occur following the establishment of the Edézhíe National Wildlife Area. ECCC's January 2021 supplemental preliminary screening material did not provide a definitive timing commitment for the necessary management planning processes or the accompanying conservation-based regulations. This suggests that appropriate mitigations may need to be further defined without delay to maintain management continuity.

The GNWT advises that further clarity from ECCC is required to ensure that necessary protective Wood Bison harvest measures are in place upon the inception of the Edézhíe National Wildlife Area. Protective measures upon the inception of the Edézhíe National Wildlife Area are needed to ensure Wood Bison remain a resource for future generations of all harvesters. If unregulated harvesting was to occur before management planning processes or regulation implementation for the National Wildlife Area, Wood Bison population impacts could occur.

While the GNWT does not support referral to environmental assessment, the GNWT requests that ECCC outline in its preliminary screening reasons for decision what protective harvesting measures for Wood Bison will be in place at the inception of the National Wildlife Area. The reasons for decision should consider and set out appropriate mitigations to prevent public concerns and/or significant adverse impacts until such time that the management planning process occurs, or regulations are in place. Should ECCC disagree with this potential gap in Wood Bison management, ECCC should provide its evidence as to why no gap exists within its reasons for decision.

2. Overall, the GNWT is satisfied with ECCC's remaining responses from their January 2021 supplemental package.

The GNWT is satisfied with the responses ECCC provided for the protection for archaeological sites and artifacts. The GNWT's Department of Education, Culture and Employment affirms that it will participate in future discussions related to archaeological sites management and research during the management and planning process of Edézhíe. The GNWT is also satisfied with the responses ECCC provided which clarify how research, monitoring, and permitting will be managed in the Edézhíe National Wildlife Area.

.../3

The GNWT does not have any further comments or concerns about the proposed Edézhíe National Wildlife Area, which ECCC should consider in making its preliminary screening determination. The GNWT looks forward to participating in future management planning processes that will further support our shared objectives related to conservation of biodiversity and wildlife habitat. Of particular interest will be anthrax monitoring and coordinated outbreak response measures related to Wood Bison management. If ECCC has any questions about this submission or requires additional information, please contact Ms. Katie Rozestraten, Project Assessment Analyst, and Katie_Rozestraten@gov.nt.ca, or me at Lorraine_Seale@gov.nt.ca or (867) 767-9180 ext. 24020.

Sincerely,



Lorraine Seale
Director, Securities and Project Assessment
Lands

- c. Mr. Julian Kanigan
Director of Environmental Stewardship and Climate Change
Environment and Natural Resources