



Beverly and Qamanirjuaq Caribou Management Board

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Highway 914 Extension Project – BQCMB Comments

I am writing to provide comments from the Beverly and Qamanirjuaq Caribou Management Board (BQCMB) on the Technical Review Comments (TRC) by the Ministry of Environment (MOE) and the Environmental Impact Statement (EIS) by the Saskatchewan Ministry of Highways and Infrastructure (MHI) for the proposed Highway 914 Extension Project (the project). This submission is based on a virtual presentation to the BQCMB about the project proposal from the proponent and its consultants in January 2021, discussion of the project proposal by board members at the November 2021 BQCMB meeting, and review of the TRC and EIS documents by BQCMB staff. Please note that only limited review of the EIS was possible given time constraints.

Our initial comment concerns the environmental assessment and review process. In our view, providing a 45-day period for public review that included the December-January holiday period during an ongoing pandemic and a worsening public health crisis was not appropriate or sufficient. The timeframe did not allow the BQCMB or others sufficient time or opportunity to review documents, discuss information presented with subject matter specialists and formulate complete written comments. Therefore we request that the review period be extended and that the BQCMB and others be provided with an additional opportunity to provide more comprehensive comments.

Summary of BQCMB Concerns and Comments on the TRC and EIS

More details and background information to support these comments is attached to this letter (Attachments 1 and 2).

- The BQCMB believes that, if this project goes ahead, it will affect the winter range of barren-ground caribou in Saskatchewan.
- We disagree with the conclusion of the technical reviewers. We do not believe that the information provided in the EIS is complete and technically accurate.

- Items missing from the EIS include:
 - a) information about barren-ground caribou habitat in the area;
 - b) an assessment of potential project effects specifically for barren-ground caribou, including loss of habitat resulting directly from the project and indirectly from increased wildfires caused by greater numbers of people accessing the area for various land uses;
 - c) an assessment of potential negative socio-economic impacts on Indigenous peoples, including from increased hunting access to the area;
 - d) mitigation measures to address issues related to the points described above and identification of residual effects;
 - e) an assessment of the cumulative impacts that this highway expansion would have on barren-ground caribou, including those resulting from the probable increases in subsequent mineral exploration and mining, harvest, and human-caused wildfires.

Recommendations

We suggest that the following actions be taken prior to a decision being made by the Minister about this project proposal.

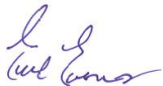
1. The project proponent should be directed to revise the EIS to include all five items outlined above that are missing from the version of the EIS currently undergoing public review.
2. Wildlife Mitigation and Monitoring Plans (WMMPs) and Caribou Offset Plans (COPs) should be developed separately for boreal and barren-ground caribou and their habitat. These plans should be developed in consultation with, or led by, Indigenous organizations and community representatives with knowledge of caribou to ensure that the best available information is used for planning.
3. An additional period for public review of the revised EIS, WMMPs and COPs should be provided.

We believe that developing these documents at this time would markedly improve the project's environmental assessment, and that making the additional detailed information contained in these documents public would increase awareness of the strengths and limitations of proposed measures to mitigate and manage project effects and cumulative effects.

We appreciate the opportunity to comment and to provide information that we believe will be valuable for ensuring credible environmental assessment results and therefore important for your Minister to consider.

If you have questions about these comments, please contact BQCMB Biologist Leslie Wakelyn at wakelyn2@icloud.com or BQCMB Executive Director Ross Thompson at rossthompson@mymts.net.

Sincerely,



Earl Evans
BQCMB Chair

Attachments (2)

cc. Matthew Tokaruk, Wildlife Biologist, Fish, Wildlife and Lands Branch, Ministry of Environment
Garrett Schmidt, Executive Director, Ya'thi Néné Lands and Resources
Jimmy Laban, BQCMB Board Member representing communities of Northern Saskatchewan

BQCMB Comments on MOE's Technical Review Comments (TRC)

- The MOE has provided an informative and well-written plain language summary of the environmental assessment and review process, the proposed project, and comments and conclusions by technical reviewers about the EIS. The TRC is a useful guide to finding more detailed information in the EIS.
- The TRC's descriptions are often too cursory and high-level to provide real insights into issues raised to date during public review, or if and how they have been addressed by the proponent or would be addressed prior to construction if this development project is approved. Following is an example relevant to the BQCMB: The TRC states that feedback from communities included concerns about "increased pressure on hunting due to increased access to the area" (p. 7). The BQCMB has repeatedly heard this concern from board members and other representatives from Beverly and Qamanirjuaq caribou range communities during discussions of road proposals on the caribou range. However, the TRC's summary of the potential effects of increased access cites only benefits (Heritage Resources and Socio-Economic Considerations – Socio-Economic, p. 17-18).

Given that only beneficial socio-economic effects seem to have been adequately considered, it is a concern to the BQCMB that the TRC has concluded that "Technical reviewers are satisfied that MHI has adequately examined the socio-economic impacts of the project and proposed acceptable measures to address any adverse impacts." (p. 18)

- A major concern with the TRC is that the proponent was not instructed to include an assessment of effects on barren-ground caribou in the EIS. This is a major oversight, given that the project area is located on the traditional range of the Beverly caribou herd and therefore contains barren-ground caribou habitat used in the recent past (see Attachment 2), and there is strong potential for barren-ground caribou to return to that area in future years.

Given that MOE has not even mentioned barren-ground caribou in the TRC, it is a concern to the BQCMB that the TRC states that "Reviewers are generally satisfied with the assessments conducted to characterize project impacts on the terrestrial environment." (pp. 11-12)

BQCMB Comments on MHI's Environmental Impact Statement

1) Barren-ground Caribou

A major short-coming of the EIS from the BQCMB's perspective is that no effects assessment specifically for barren-ground caribou was conducted. Therefore the assessment of potential project impacts is inadequate in two major ways related to barren-ground caribou:

- the project impacts on barren-ground caribou habitat have not been assessed and the contribution of direct or indirect loss of habitat to cumulative effects on the species have not been considered
- impacts on Indigenous peoples of the area whose culture is strongly connected to harvest and use of this wildlife species have not been assessed.

We believe the information provided in the EIS does not justify these omissions and contains several weaknesses and inconsistencies. Several examples from the EIS are provided below.

- The 285-page EIS devotes 2 paragraphs (p. 5.69) to describing why assessment of potential effects was focused on boreal caribou and no assessment of effects on barren-ground caribou was conducted. It begins

by stating that “Historical survey data and traditional knowledge indicate the winter ranges of the Beverly and Qamanirjuaq barren-ground caribou herds overlapped part of the RAA” (Regional Assessment Area) and refers to barren-ground caribou kill sites in the Waterbury Lake area documented by the land and resource use study by Prince Albert Grand Council (p. 5.69). Elsewhere it states that local Elders and land user identified barren-ground caribou as a “rare and endangered species” (p. 5.70), and “important” species (p. 5.137). This should indicate to the proponent and MOE that the area provides habitat suitable for barren-ground caribou.

However, the EIS also states (p. 5.69) that “more recent data suggests barren ground caribou are relatively rare in the RAA” and “there is limited potential for the Project to interact with the Beverly and Qamanirjuaq barren-ground caribou herds based on current telemetry data and calving ground surveys”, and then concludes by saying that “Barren-ground caribou are not discussed further.” Therefore it appears that a project proponent can choose to ignore evidence that barren-ground caribou used the area for many decades and that Indigenous peoples of northern Saskatchewan harvested those caribou in the area?

Also, with no justification provided, MHI claims that “. . . the mitigation and management measures that are proposed for boreal caribou will also provide benefits to barren-ground caribou.” (p. 5.69). But how can benefits be provided to a species by a project if the project does not interact with it?

- During description of the scope of the assessment of potential environmental effects on wildlife and wildlife habitat as a valued component (VC; Sec. 5.3.1), the EIS states that “The wildlife and wildlife habitat VC represent the broad range of wildlife species that are known to occur or have the potential to occur in the Project RAA.” and that “The focus of this assessment is on species of management concern, including species at risk and species of cultural importance to Indigenous communities.” (pp. 5.66-5.67). We contend that these statements apply to barren-ground caribou and habitat, since the species has the potential to occur in this area and is also of management concern and cultural importance to Indigenous communities. Therefore, by definition, effects on barren-ground caribou should be assessed as part of the assessment for the wildlife and wildlife habitat VC.
- We caution that this apparent dismissal of the importance of the area as suitable habitat for barren-ground caribou is inappropriate, short-term thinking. Caribou can and do change their range use patterns over relatively short time-frames. Many herds in the Northwest Territories and Nunavut can be cited as examples. As the TRC describes it, the proposed Highway 914 extension would be considered by MHI as “permanent infrastructure” as its operating life would continue indefinitely. Therefore MOE and MHI should be planning with a long-term view, which should include the possibility that barren-ground caribou will return to the area in significant numbers.

Consideration should also be given to the fact that successional changes in habitat will occur over time and that what is currently rated as low quality “disturbed” areas will gradually change to high quality habitat for different wildlife species, including barren-ground caribou.

- The BQCMB and Ya' thi Néné Lands and Resources have previously and separately recommended that potential effects on barren-ground caribou also be assessed. Ya' thi Néné questions and comments about barren-ground caribou were documented in the EIS (Sec. 3.4.1.1, p. 3.12; Sec. 3.4.1.3. p. 3.14; Sec. 3.4.1.4, p. 3.15). However, these comments seem to have been ignored during definition of the scope of assessment of potential effects on wildlife and wildlife habitat.

There is no reference in the EIS to the presentation made to the BQCMB from the proponent and its consultants in January 2021, or to the subsequent discussion with the BQCMB, including the BQCMB's recommendation that the EIS include an assessment of effects on barren-ground caribou and habitat.

2) Potential Negative Effects

There are at least two examples of potential negative effects likely to result from this proposed project on barren-ground caribou and other wildlife species that have not been adequately considered or assessed:

- We found no discussion in the EIS of the potential negative impacts of increased access on wildlife or use of land by Indigenous peoples for harvest or other purposes. Therefore there is no related description of the mitigation measures required to address this issue, or the residual effects.

There is abundant evidence from across the Beverly and Qamanirjuaq caribou range, including in the Northwest Territories and Manitoba, that once public access to an area is increased, it is difficult to impossible to control. Access to people with hunting rights, including from communities outside the local area, cannot be stopped. This can have significant impacts over time on both the overall level of harvest and the amount of harvest available to people who traditionally hunted in the area.

- The potential for increased wildfire risk that often results from increased human access to a formerly remote area is not mentioned as a potential negative impact, at least in the TRC (Biophysical Impacts – Terrestrial Environment, pp. 8-12). This could be a potential negative impact in many respects and for many wildlife species. Of specific relevance to the BQCMB, however, is the potential for greater loss of habitat suitable for barren-ground caribou, which would be a cumulative effect adding to habitat loss from past fires on the winter range previously used by Beverly caribou.

Attachment 2. Map of the Beverly and Qamanirjuaq Caribou Ranges based on government surveys (1940s-2011), telemetry data (1993-2012) and traditional knowledge.

